

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
October 11, 2016**

MEETING CALLED TO ORDER: 6:31 P.M.

MEETING ADJOURNED: 6:57 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Tuesday, October 11, 2016 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 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, Walker, Baker, and McAvaddy, Mike Benson, Acting Solicitor and Dr. Paul Trivellini, Administrator, Maryann Coraluzzo, Borough Clerk, Brianna Pace, Deputy Clerk

ROLL CALL OF ATTENDANCE:

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

MAYOR'S REPORT:

ORDINANCE NO. 643 NEED MOTION TO INDRODUCE AND PASS OF FIRST READING:

AN ORDINANCE ESTABLISHING A SERVICE CHARGE FOR A CHECK FOR OTHER WRITTEN INSTRUMENT RETURNED FOR INSUFFICIENT FUNDS

m/Baker s/Walker

WHEREAS, PL 1990, Chapter 105 of the Laws of the State of New Jersey authorizes a municipality to provide, by ordinance, for the imposition of a service charge to be added to any account owing to a municipality, if payment tendered on account was by check or other written instrument, which was returned for insufficient funds;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF BUENA, in the County of Atlantic and State of New Jersey, herewith imposes a service charge if payment tendered by check or any other written instrument which was returned for insufficient funds. The service charge is herewith established in the amount of \$25.00 per check, or other written instrument.

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

RESOLUTION 108-18 A RESOLUTION APPOINTING Jorge Alvarez TO THE POSITION OF COUNCILMAN OF BUENA BOROUGH TO FILL THE UNEXPIRED TERM OF ROBERT JAMES UNTIL DECEMBER 31, 2017 m/Baker s/McAvaddy

WHEREAS, On September 26, 2016 Councilman Robert James tendered his resignation from the position of Councilman of the Borough of Buena effective September 27, 2016, which term commenced January 1, 2015, and was to expire on December 31, 2017; and

WHEREAS, Councilman James resignation was received on September 26, 2016 and the Council of the Borough of Buena accepted the tendered resignation on September 26, 2016; and

WHEREAS, as a result of the resignation, a vacancy existed on the Borough Council; and

WHEREAS, on October 11, 2016 Borough Council received a list of three names provided by the Buena Republican Club from which Council shall nominate an individual to fill the unexpired term of Councilman James, at which time the seat will be filled until the expiration of the term of the vacancy on December 31, 2017; and

WHEREAS, Borough Council opened the nomination for consideration and having received one nomination, to wit, Jorge Alvarez and thereafter receiving no further nominations, the nominations were duly closed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that Jorge Alvarez shall, upon taking the oath of office, immediately fill the vacant seat of Council for the Borough of Buena commencing October 11, 2016 until December 31, 2017, at which time the seat shall be filled by an election in accordance with the laws of the State of New Jersey.

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

Mr. Alvarez took his respective seat on Council.

RESOLUTION 106-16 A RESOLUTION AUTHORIZING AN IN REM FORECLOSURE m/Baker s/Walker

WHEREAS, the Borough of Buena holds a Tax Certificate more specifically set forth on the annexed Tax Foreclosure List; and

WHEREAS, the Borough of Buena Council has determined that said Tax Certificate shall be foreclosed by summary proceedings in rem; and

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the Tax Sale Certificate, as shown below, now held by the Borough of Buena be foreclosed by summary process in REM as described in NJSA 54:5-104.29, et.seq, as amended, and

pursuant to the rules of Civil Practice of the Superior Court of New Jersey.

Schedule No.	Description of Lands	Tax Sale Certificate No.	Date of Tax Sale	Vo, Receipt and Instrument No.	Amount Set Forth in the Tax Sale Certificate	Subsequent Liens, Interest and Costs	Amount Required to Redeem	Name on Last Duplicate
1	Block 145, Lot 1 701 South Central Avenue	15-00027	1/7/2016	Vol- 14046 Recpt- 1226613 Inst- 2016019724	\$90,185.34	22330.50	112515.84	Compass Rose Financial Services, LLC

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

**RESOLUTION 107-16 A RESOLUTION OPPOSING THE EXPANSION OF CASINO GAMBLING IN TWO ADDITIONAL COUNTIES IN THE STATE OF NEW JERSEY
m/Baker s/Walker**

Whereas, Public Question No. 1 proposes a State constitutional amendment to permit casino gambling in two additional counties in this State; and, Whereas, the voters will consider Public Question No. 1 on the November 8, 2016; and,

Whereas, a history of studies conclude expanding gaming outside of Atlantic City would not increase revenues for the State and, in fact, lead to a net loss of jobs, small businesses, and revenue to the State. Those studies include:

- The American Gaming Association found the rate of those who gambled in casinos at least once per year has remained relatively constant for decades.
- The Pennsylvania Legislative Budget and Finance Committee confirms that as each new casino opens, it only serves locals as a greater share of its patronage.
- Stockton University concluded one casino alone in North Jersey would draw from 41.8% of Atlantic City's existing customer base. This was confirmed by a Deutsche Bank study which said a North Jersey casino will draw from a 40 miles radius, cutting deep into Monmouth County which is critical to Atlantic City's market.
- While Deutsche Bank estimates two North Jersey casinos will generate \$500 million in gaming revenue, Stockton University estimates Atlantic City casinos will lose \$500 million in gaming revenue.
- The Greater Atlantic City Chamber estimates there would be 14,500 job losses and the closure of two to four Atlantic City casinos if casino expansion were approved.

- The Morowitz Study concludes there will be a loss of up to 30,000 jobs, as loss of up to \$1.4 billion in gaming revenue, and the closure of three to five additional casinos, creating a significant increase in regional unemployment and housing foreclosures.

Whereas, the legislative sponsor of Public Question No. 1 testified before the Assembly Judiciary Committee that there were no independent studies supporting North Jersey casinos, and:

Whereas, there is no specific tax rate set on the possible North Jersey casinos making it impossible to determine how much if any tax revenue will be generated and, therefore, no guarantee that seniors, the disabled, the horse racing industry, or Atlantic City will receive any funding from North Jersey casinos, and;

Whereas, any North Jersey casinos will require substantial infrastructure improvements at their location and there is no additional State funding for those improvement, and;

Whereas, unemployment in Atlantic County remains above the state average and Atlantic County's foreclosure rate is still the highest in the nation, and;

Whereas, the net loss of casino jobs will hurt the hard working middle class men and women of Atlantic County, who are the very people the casino industry was intended to help, and;

Whereas, any further decline in casino property values in Atlantic city will increase property taxes throughout Atlantic County; and,

Whereas, the legalization of casino gaming in surrounding states has already oversaturated the gaming market, opening casinos in other location in New Jersey municipalities will only serve to cannibalize our own gaming market.

Now, therefore, be it resolved, the Council of the Borough of Buena opposes Public Question No. 1 and strongly urges all of our residents to also oppose Public Question No. 1 on November 8, 2016.

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

**RESOLUTION 109-16 A RESOLUTION ESTABLISHING A POLICY REQUIRING THE TAX ASSESSOR TO DELIVER A LIST OF TAX APPEALS TO THE CHIEF FINANCIAL OFFICER AND GOVERNING BODY WITHIN THREE DAYS OF RECEIVING THE LIST
m/Baker s/Walker**

WHEREAS; the Borough of Buena wishes to set forth a policy whereby the Tax Assessor will notify the Chief Financial Officer (CFO) and the Borough of Buena of all tax appeals once all appeals have been filed and entered with the Atlantic County Board of Taxation; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and Council of the Borough of Buena certifies that it met, discussed, and established a policy that the Municipality's Tax Assessor will deliver the list of tax appeals from the Atlantic County Board of Taxation to the Chief

Financial Officer and the Governing Body within three (3) days of receiving the list, but no later than June 1st of each year. Municipalities where a revaluation/reassessment has taken place, the list of tax appeals can be reported when the information becomes available.

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

**RESOLUTION 110-16 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING AND DIRECTING THE RETURN OF FUNDS RECEIVED BY THE BOROUGH OF BUENA TO THE BUENA BOROUGH MUNICIPAL UTILITIES AUTHORITY
m/Marolda s/McAvaddy**

WHEREAS, on August 25, 2016, the Borough of Buena received the sum of \$56,000.00 from the Buena Borough Municipal Utilities Authority (BBMUA) for public assistance towards the budgetary needs of the Borough; and

WHEREAS, after careful consideration, the Council of the Borough of Buena has determined that the assistance offer provided was unnecessary and that the funds would best be used by the BBMUA for their ratepayers and potential expansion of their sewer area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the funds received by the Borough be returned to the Buena Borough Municipal Utilities Authority.

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

**RESOLUTION 111-16 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, APPOINTING COUNCILMAN GREGORY MCAVADDY TO THE POSITION OF ASSISTANT DIRECTOR OF PUBLIC SAFETY IN ACCORDANCE WITH CHAPTER 45 SECTION 45-4 OF THE CODE OF THE BOROUGH OF BUENA
m/Baker s/Marolda**

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

ENGINEER' S REPORT :

FY2015 NJDOT Municipal Aid Project - Reconstruction of Plymouth Street

We are awaiting approval of the permits for the culvert replacement from the NJDEP and The Pinelands Commission. We are also awaiting a response from the NJDOT regarding a permit for the project.

Please note that the project cannot be advertised for public bid until the Governor lifts Executive Order No. 210, which effectively closed down all construction related activity with respect to currently active NJDOT Transportation Trust Fund - Local Aid projects as of July 8, 2016 at 11:59 pm.

FY2016 NJDOT Municipal Aid Project - Reconstruction of Forest Grove Road

Our office submitted an engineering services proposal for this project dated August 30, 2016.

ADMINISTRATORS' S REPORT: No report

SOLICITOR' S REPORT :

Acting Solicitor Benson advised Council that the In Rem foreclosure for 701 South Central Avenue is in progress and title should be obtained in approximately six months.

COMMITTEE REPORTS :

RECYCLING: (COUNCILMAN MAROLDA)

Councilman Marolda advised the road department is still collecting branches and cutting grass. They are starting to prep for the winter.

RECREATION: (COUNCILMAN WALKER)

Councilman Walker reported Landisville Fire Company is having their roast beef sale on October 29, 2016 from 11am-2pm. Also, Trick or Treat is set for October 29, 2016 from 2-4pm.

FINANCE: (COUNCILWOMAN BAKER)

Councilwoman Baker reported on Tuesday evening October 4, 2016 herself along with CFO Cindi LoGuidice, Councilman McAvaddy and Councilman Marolda met to discuss the budget in reference to paying for night shift EMS.

Councilwoman Baker was part of a phone conference in the morning of October 12, 2016 to discuss the Route 54 Shuttle. The ridership in September was 892. Students were using the shuttle as well as other riders. A new service schedule will take effect on November 1, 2016. New brochures with the revised schedule and route will be delivered to the M.L.K. Center. He will be responsible to mail out the new brochures to make our community aware of the new schedule and route.

PUBLIC SAFETY/STREETS LIGHTS: No report

ECONOMIC DEVELOPMENT: (COUNCILMAN MANCUSO) No report

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

PUBLIC PORTION OF MEETING:

Joanne Rosemont of 309 E Pacific Ave asked if the EMT service was continuing 24 hours, if billing was taking place and why the money went back to the MUA. Mayor Zappariello advised they went through the budget and are still working on a resolution but they are looking into shared services and other resources. Also, she asked who the public safety director is since Councilman McAvaddy was named assistant and Mayor Zappariello advised they needed someone on Council now and they are looking at resumes.

Brian Fatcher of Kimberly Lane also was interested in knowing who the Public Safety Director was. He was curious what emergency plans were in place if a disaster hits our area. Where could the residents go and how are they notified to know what their options are. Mayor Zappariello thanked him and said they would look into it.

CLERK'S REPORT:

Minutes of the meeting of were approved m/Baker s/Walker

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

CORRESPONDENCE:

- Best Practices Worksheet**

Need motion to file correspondence m/Baker s/Walker

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

UNFINISHED BUSINESS: Nothing

NEW BUSINESS: Councilman McAvaddy requested a Special Meeting on October 18, 2016 at 6:30 pm to discuss EMS.

BILLS PAID AS LISTED: m/Baker s/Walker

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

NEXT SPECIAL MEETING: October 18, 2016

NEXT REGULAR MEETING: October 24, 2016

MEETING ADJOURNED: m/Baker s/Walker

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

MARYANN CORALUZZO
BOROUGH CLERK