

BOROUGH OF BUENA  
 WORKSHOP MEETING  
 MINUTES  
 OCTOBER 13, 2020  
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**MEETING CALLED TO ORDER: 7:03 P.M.**  
**MEETING ADJOURNED: 7:20 P.M.**

THE REGULAR MEETING OF MAYOR AND COUNCIL OF THE BOROUGH OF BUENA WAS HELD TUESDAY, OCTOBER 13, 2020 COMMENCING AT 7:03 P.M. AT THE BOROUGH HALL WITH MAYOR ZAPPARIELLO PRESIDING. MAYOR ZAPPARIELLO CALLED FOR A MOMENT OF SILENCE FOR THOSE AFFECTED BY COVID-19, AND OUR FIRST RESPONDERS WHO ARE ON THE FRONT LINES EVERY DAY. 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 13, 2019, AS WELL AS HAVING BEEN POSTED ON THE BULLETIN BOARD AT BOROUGH HALL. NOTICE OF REMOTELY HELD MEETINGS HAS BEEN POSTED ON THE WEBSITE OF THE BOROUGH OF BUENA.

**ROLL CALL OF ATTENDANCE:**

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ				X	
MCAVADDY				X	

**Councilman Alvarez connected remotely at 7:05 p.m.**

Before inviting the public to speak during the public portion, Mayor Zappariello called on Code Enforcement Officer Johnston to provide an update on two ongoing matters: the alleged illegal boarding house on Forest Grove Road and the storage of unregistered vehicles and related violations on the property known as 513 Forest Grove Road. Regarding 513 Forest Grove Road, Officer Johnston stated that the few remaining cars on the property are parked behind the fence. A court date has been scheduled for November 5, 2020, to remedy the violations.

Regarding to the alleged boarding house, Officer Johnston read the following statement on behalf of Zoning Officer, John Keenan:

The virtual court was scheduled for October 8, 2020, at 5:00 P.M. via Zoom. I logged in at 4:50 and two former tenants subpoenaed to testify as witnesses also logged in. We were placed on hold to wait for the defendant to phone or log in. The judge stated that the defendant was scheduled for another court appearance at 5:15 on unrelated charges. By 5:20, the

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defendant had not called or logged in. The judge said if court were held in person, he would have declared the defendant in contempt for failing to appear and issue a warrant for his arrest, but, because it was a virtual proceeding, the case would be rescheduled. The judge stated that a warrant would be issued if the defendant fails to appear a second time. We were thanked and excused; we will be notified of the new hearing date and time.

Regarding flooding in the Borough, Mayor Zappariello stated that he will be tentatively meeting with county and state officials on Friday, October 16, 2020.

**PUBLIC PORTION OF THE MEETING:**

Ernie Merighi of 503 W. Flower Street requested an update on the Liberty Village construction project. Engineer Smith provided a response.

**INTRODUCED AND PASSED ON FIRST READING:**

**ORDINANCE NO. 690: AN ORDINANCE AMENDING PART II GENERAL LEGISLATION CHAPTER 150 LAND USE, ARTICLE XIII FENCES AND SIGNS OF THE CODE OF THE BOROUGH OF BUENA.  
M/BAKER S/WALKER**

**WHEREAS**, the Mayor and Council of the Borough of Buena have reviewed the existing provisions of Chapter 150, Land Use, Article XIII, Fences and Signs and have determined that it is in the best interests of the residents of the Borough of Buena to amend the Code ; and,

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Borough is authorized to enact ordinances for the protection of person and property and for the preservation of the public health, safety and general welfare of the municipality and its inhabitants and,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Buena, County of Atlantic and State of New Jersey as follows:

**SECTION I** Chapter 150, Section 104 titled Fences is hereby amended to include a new section H. Permit Required as follows:  
§150-104. **FENCES**

H. Permit Required.

- (1) Before the erection of any fence, an application for zoning approval must be submitted to the Zoning Officer and the required fee of \$30.00 be paid.

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- (2) Such application must include a reasonably accurate representation of the property showing the current conditions, included but not limited to the following: all existing building footprints and dimension, any existing fence, property layout including dimensions, other improvements and the proposed location of any proposed fences including dimensions of placement on property and distance(s) to property line(s).
- (3) Such application must include the owner's name, address of the property, block and lot of the property. the description, and specifications of the fence including the size, height, dimensions, material and size of openings.

**SECTION II**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION III**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION IV**

This ordinance shall take effect immediately upon final publication as provided by law.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO		X			
ALVAREZ	X				
MCAVADDY				X	

**PROCLAMATION:                    KNOCK OUT OPIOID ABUSE DAY  
 OCTOBER 6, 2020**

**WHEREAS**, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

**WHEREAS**, the Partnership for a Drug-Free New Jersey has designated October 6, 2020 as Knock Out Opioid Abuse Day – an initiative with a dual purpose: to educate families of the addictive qualities of opioid pain medicines and their link to heroin abuse rates in New Jersey, and communicate to physicians information on safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opiates, which include

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considering other therapies, setting realistic treatment goals with patients and discussing with patients the pros and cons of opioids; and

**WHEREAS**, the State Senate and General Assembly jointly resolved that October 6 shall be permanently designated as “Knock Out Opioid Abuse Day” in New Jersey in order to raise awareness about the dangers of, and the link between, opioid abuse and heroin addiction and to educate health care providers, community leaders, State lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

**WHEREAS**, Join Together Atlantic County (JTAC) supports initiatives designed to raise awareness about opiate abuse in New Jersey and take steps to prevent addiction.

**NOW, THEREFORE BE IT PROCLAIMED**, that October 6, 2020 be recognized as Knock Out Opioid Abuse Day in the Borough of Buena, New Jersey.

**RESOLUTION 84-20      A RESOLUTION AUTHORIZING THE EXECUTION OF A  
SITE ACCESS AGREEMENT WITH THE NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY  
(NJDEP) FOR OPERATION AND MAINTENANCE OF THE  
TREATMENT PLANT AND WELLS AT THE SOUTH JERSEY  
CLOTHING COMPANY AND GARDEN STATE CLEANERS.  
M/BAKER S/WALKER**

**WHEREAS**, South Jersey Clothing Company and Garden State Cleaners are Superfund Sites; and

**WHEREAS**, the Borough of Buena has a current *Site Access Agreement* with the United States Environmental Protection Agency (EPA); and

**WHEREAS**, the NJDEP is scheduled to assume operation and maintenance of the treatment plant and wells at the South Jersey Clothing Company and Garden State Cleaners; and

**WHEREAS**, the *Site Access Agreement* cannot be transferred from the EPA to the NJDEP.

**NOW THEREFORE BE IT RESOLVED** by the Council of Buena Borough that the Mayor is hereby authorized to execute the *Site Access Agreement* with the NJDEP for operation and maintenance of the treatment plant and wells currently being conducted by the EPA.

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	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY				X	

**RESOLUTION 85-20      A RESOLUTION OF THE BOROUGH OF BUENA ACCEPTING THE RESIGNATION OF ALYSSA PURKINS AS EMERGENCY MEDICAL TECHNICIAN FOR THE BOROUGH OF BUENA, WITH REGRETS.  
 M/BAKER S/MANCUSO**

**WHEREAS**, Alyssa Purkins has served the Borough of Buena in the capacity of Emergency Medical Technician; and

**WHEREAS**, during her tenure, Alyssa Purkins has provided effective and compassionate representation to the Borough while serving as Emergency Medical Technician; and

**WHEREAS**, Alyssa Purkins has resigned her position, effective immediately.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that the resignation of Alyssa Purkins be regrettfully accepted effective immediately.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY				X	

**ENGINEER' S REPORT :**

- **FY2016 NJDOT Municipal Aid Project - Resurfacing of Forest Grove Road**

Our office recommended final payment to the contractor. Once the check clears, our office will initiate NJDOT reimbursement.

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- **FY2018 NJDOT Municipal Aid Project – Reconstruction of Forest Grove Road**

I attended a site meeting with the contractor on October 5, 2020 to review the punchlist. The contractor is checking the grades.

- **FY2019 NJDOT Municipal Aid Project – Reconstruction of South Boulevard**

The final reimbursement request was submitted to the NJDOT on September 28, 2020. This project will be removed from next month's report.

- **FY2020 NJDOT Municipal Aid Project – Reconstruction of South Boulevard**

A contract was awarded to Arawak Paving Company, Inc. A pre-construction meeting took place on October 1, 2020. Storm drain work is scheduled to begin on October 26, 2020.

- **Expansion of the Commerce Center Redevelopment Area**

The new public hearing has not been scheduled.

- **Madison Estates Major Subdivision – Lauren Court**

Surface course paving was installed on October 6, 2020.

**SOLICITOR'S REPORT:**

**Solicitor Costigan will prepare an ordinance amending Part II, General Legislation- Chapter 181 of the property maintenance code providing for the right to appeal a notice of violation.**

**CLERK'S REPORT:**

**MINUTES OF THE REGULAR MEETING OF SEPTEMBER 28, 2020 WERE APPROVED  
 M/BAKER S/WALKER**

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY				X	

**UNFINISHED BUSINESS: None**

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**NEW BUSINESS :**

**RESOLUTION 86-20      A RESOLUTION AUTHORIZING HIRING OF EMERGENCY  
 MEDICAL TECHNICIANS.  
 M/BAKER S/WALKER**

**WHEREAS**, the Borough of Buena Emergency Medical Services Department operates 24 hours a day, 365 days a year; and

**WHEREAS**, appropriate staffing is required for the department to operate effectively and efficiently; and

**WHEREAS**, the Emergency Medical Services Chief of the Borough of Buena requests the authorization from Council to approve the hiring of the following candidates to replace the Emergency Service Technicians who have left the department:

Thomas Williams  
 Ray Iron  
 Eric Shane

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Buena, County of Atlantic, State of New Jersey, hereby approves the hiring of aforementioned candidates as Emergency Service Technicians based on their qualifications with a start date as soon as possible and conditioned upon the successful completion of the hiring phases set forth in the Policy and Procedures of the Borough of Buena.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY				X	

**RESOLUTION 87-20      A RESOLUTION OF THE BOROUGH OF BUENA  
 AUTHORIZING THE GOVERNING BODY TO CONDUCT  
 AN AUDIT OF THE LANDISVILLE VOLUNTEER  
 FIRE COMPANY (FIRE DISTRICT NO. 1) .  
 M/BAKER S/MANCUSO**

**WHEREAS**, Fire Districts are an instrumentally subordinate entity of the State of New Jersey governed by N.J.S.A. 40A:14-70 et al; and

**WHEREAS**, a board of fire commissioners oversees all operations of the fire districts; and

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**WHEREAS**, to ensure accountability and exercise due diligence as elected officials, bound by an Oath of Office to uphold the laws of the Constitution and the State of New Jersey, the governing body, at its discretion, desires to perform an audit of the Borough of Buena Fire Districts No. 1 from January 1, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that the governing body is hereby authorized to perform an audit of the Landisville Volunteer Fire Company (Fire District No. 1) to exercise oversight responsibility governing authority, the designation of management, the ability to significantly influence operations and accountability for fiscal matters, and to ensure to the criterion is met to the benefits of the government and/or its citizens.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY				X	

**BILLS PAID AS LISTED: M/BAKER S/WALKER**

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY				X	

**NEXT MEETING: OCTOBER 26, 2020**

**MEETING ADJOURNED: M/BAKER S/ALVAREZ RCVU**

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**MARYANN CORALUZZO**  
**BOROUGH CLERK**