

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
OCTOBER 28, 2024
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MEETING CALLED TO ORDER: 6:30 P.M.
MEETING ADJOURNED: 7:00 P.M.

CALL MEETING TO ORDER: FLAG SALUTE

ROLL CALL OF ATTENDANCE:

<u>Council Member</u>	<u>Present</u>	<u>Absent</u>
GIOVINAZZI	<u>X</u>	<u> </u>
ALVAREZ	<u>X</u>	<u> </u>
ADAMS	<u>X</u>	<u> </u>
BARSUGLIA	<u>X</u>	<u> </u>
ANDALORO	<u>X</u>	<u> </u>
DESTEFANO	<u>X</u>	<u> </u>

Also in attendance: Acting Clerk Johnston, Solicitor Tonetta

The regular meeting of Mayor and Council of the Borough of Buena was held October 28, 2024 commencing at 6:30 P.M. at the Borough Hall with Council President Adams presiding. Council President Adams 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 and the Daily Journal on November 27, 2023 as well as being posted on the bulletin board in Borough Hall.

MAYOR’S REPORT:

Mayor Baruffi expressed appreciation to Council and Borough employees for their assistance, understanding and prayers and thanked Council President Adams for attending to matters during his absence while attending to his wife’s illness. Mayor Baruffi was happy to state his wife is on the mend.

Mayor Baruffi explained that he was approached by a resident regarding safety concerns at their child’s school bus stop. A letter was sent to the Superintendent of Buena Regional requesting a mutual discussion with the Mayor, Chief of Police and the transportation department to make an effort to resolve the resident’s concerns.

PUBLIC COMMENT: OPPORTUNITY FOR ANYONE TO COMMENT WITH A LIMIT OF FIVE (5) MINUTES PER SPEAKER. PLEASE REFER TO THE FOLLOWING STATEMENT:

PUBLIC COMMENT PROVIDES AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO INFORM THE MAYOR AND GOVERNING BODY ABOUT THEIR VIEWS. THE MAYOR AND GOVERNING BODY PRESCRIBES TO COUNCIL'S BY-LAWS AND THE NEW JERSEY STATUTES ON OPEN PUBLIC MEETINGS WHEN ENGAGING DURING PUBLIC COMMENT. AS SUCH, EACH INDIVIDUAL SHALL HAVE A 5 MINUTE LIMIT TO COMMENT; AN INDIVIDUAL CANNOT YIELD TIME TO ANOTHER INDIVIDUAL; AN INDIVIDUAL MAY ONLY APPROACH THE PODIUM ONCE DURING PUBLIC COMMENT FOR ANY ONE TOPIC; VULGAR OR OFFENSIVE LANGUAGE IS PROHIBITED AND MAYOR AND COUNCIL WILL NOT ENGAGE IN DIALOGUE WITH THE PUBLIC DURING THIS TIME. THE GOVERNING BODY MAINTAINS MODEL COURTESY AND RESPECT AND REQUIRES MEMBERS OF THE PUBLIC TO DO THE SAME.

PUBLIC PORTION OF THE MEETING:

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MOTIONED TO OPEN THE PUBLIC PORTION OF THE MEETING:

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>DESTEFANO</u>	GIOVINAZZI	X				
	ALVAREZ	X				
SECOND: <u>ADAMS</u>	ADAMS	X				
	BARSUGLIA	X				
RCV	ANDALORO	X				
	DESTEFANO	X				

John Kulin, High Grass Farms 345 Weymouth Rd., provided an update noting that the state had granted their cultivation license and they have officially started cloning at their facility. They expect to distribute the first batch of wholesale sales to the dispensaries by the first of the year. Dr. Kulin explained that they are progressing on their manufacturing license, noting that they are entering the inspection phase. Mayor and Council congratulated and wished for their success.

John Saseen stated the presentation on USDA at the last meeting was informative. Councilwoman Andaloro responded that she would like to have the representative return to Boro Hall for a more informal meeting.

MOTIONED TO CLOSE THE PUBLIC PORTION OF THE MEETING:

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>BARSUGLIA</u>	GIOVINAZZI	X				
	ALVAREZ	X				
SECOND: <u>ANDALORO</u>	ADAMS	X				
	BARSUGLIA	X				
RCV	ANDALORO	X				
	DESTEFANO	X				

CONSENT AGENDA:

Consent Agenda includes items of business which are not controversial and do not require individual discussion. A Motion approving the Consent Agenda is moved, seconded and voted upon as one item by the Borough Council. If any discussion is requested on a Consent Agenda item, it is removed from the Consent Agenda to the Regular Agenda

- **RESOLUTION 195-24** 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 2025.
- **RESOLUTION 196-24** A RESOLUTION ESTABLISHING AND IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF VARIOUS PROFESSIONAL SERVICE AGREEMENTS
- **RESOLUTION 197-24** A RESOLUTION AUTHORIZING RISK MANAGEMENT CONSULTANT ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND
- **RESOLUTION 198-24** A RESOLUTION OF THE BOROUGH OF BUENA PLACING A LIEN ON BLOCK 193, LOT 3, 1005 B SOUTH CENTRAL AVE, IN ACCORDANCE WITH ORDINANCE 642
- **RESOLUTION 199-24** A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF CENTRAL AVENUE (CR 627), TO THROUGH TRAFFIC ON DECEMBER 7, 2024 FROM 6:00 P.M. TO 7:00 P.M. AND DIRECTING THE BOROUGH OF BUENA RECREATION COMMISSION TO SUBMIT AN APPLICATION TO THE ATLANTIC COUNTY ENGINEER FOR A PERMIT APPROVING SAID TEMPORARY CLOSURE

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- **BILLS PAID AS LISTED**
- **CLERK’S REPORT**
MINUTES OF THE WORKSHOP MEETING OF OCTOBER 15, 2024
MINUTES OF THE REGULAR MEETING OF OCTOBER 15, 2024

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>ADAMS</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
SECOND: <u>ALVAREZ</u>	BARSUGLIA	X				
	ANDALORO	X				
RCV	DESTEFANO	X				

COMMITTEE REPORTS:

PLANNING/ZONING/INSPECTIONS: (CHAIRMAN, RICHARD GIOVINAZZI)

Councilman Giovinazzi provided updates regarding code enforcement property and court dates. Notices were sent to properties on September 30, 2024 regarding complaints of chickens in a residential zone as a result of adopting Ordinance No. 759. The deadline to comply is October 31, 2024. Noted complaints regarding a warehouse/garage at 407 S West Blvd where large trucks are blocking the roadway and trailers are being stored on-site. Zoning Officer Keenan will follow up with code enforcement regarding this matter. Ms. Petrillo is completing approximately 6 to 8 rental inspections per week and will continue to schedule.

FINANCE/TAX COLLECTOR/ASSESSOR: (CHAIRMAN, JORGE ALVAREZ)

Councilman Alvarez stated there will be a special meeting on Friday at 4:30 addressing budget transfers.

PUBLIC SAFETY/STREET LIGHTS: (CHAIRMAN, DOUGLAS ADAMS)

Council president Adams reported:

- Buena Borough Fire Department Station 11-1 had 115 calls to date, also the fire department had sworn in two candidates at the last council meeting with the total of 19 volunteer members. On October 14th the fire department responded to a fire on Wheat Road and added a thanks to Forest Grove Rd, East Vineland, Vineland #4, Collings Lakes, Richland Fire Marshall and the New Jersey Forest Fire Service and the Malaga and Milmay Fire department for covering the stations. There are currently fire bands of any kind in the area due to high winds and low relative humidity. Volunteer applications at the Fire Department continue to be available on Monday evenings 7-8 PM.
- Franklin Police Dept had total calls for service of 912. Officer of the Month of September: Officer Cody Elliot.
- EMS had dispatched for 86 calls, and public service for blood pressure checks were done at Buena Gardens. Buena EMS members have met with Buena Vista Township’s new Chief.

RECREATION: (CHAIRWOMAN MARINA BARSUGLIA)

Councilwoman Barsuglia reported that

- Trunk or Treat and the movie Nightmare Before Christmas was a success at the park on Saturday.
- Planning for Christmas events: Parade will be December 7th at 6:00 pm starting at Cleary School to Borough Hall with hot chocolate, treats and a movie The Grinch and decorating the Joe Dale Pavillion.
- Submitted an Art Grant for Art in the Park.
- Clearing for disk golf at Blackwater Pond has begun in the proposed areas.
- Next recreation committee meeting: November 19th 6 pm

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BLDGS/GROUNDS/IMPROVEMENTS: (CHAIRWOMAN, PATRICIA ANDALORO)

Councilwoman Andaloro reported that the 48-year-old heating system in Borough Hall was not working today, and two contactors were contacted. Falasca will be preparing quotes for those repairs. Andaloro thanked EMS and Buena Fire District for hosting for the Buena Reginal School car wash and float decorating for the homecoming parade. Bids were received and are being reviewed by the Borough Engineer for the bathrooms at Melini Park. Louise Basile building will be closed the week of November 11th for the contractor training for the ADA doors; the seniors will be transported to the Hammonton Nutrition Center that week. Gerry from the USDA is planning to return to the Borough Hall to provide residents with more information regarding available affordable housing programs.

ROADS/RECYCLING: (CHAIRMAN, FRANK DESTEFANO)

Councilman DeStefano reported that the road department had made a new parking area for their equipment. Bucket truck is certified Maintenance on leaf trucks and snow plows are being evaluated for the upcoming seasons. Strom drains have been evaluated for cleaning. Road Supervisor Nimohay made arrangements to provide education to Cleary students at the Louise Basile Center on recycling and trash with monies received from a grant.

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UNFINISHED BUSINESS:

Mayor Baruffi congratulated Fire Chief Ken Barbagli for Buena Borough Fire Department's successful roast beef sandwich fundraiser. He also noted that the Department received their non-profit status.

NEW BUSINESS:

Reminder: A special meeting is scheduled for Friday, November 1, 2024 at 4:30 concerning the budget.

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NEXT MEETING: WORKSHOP AND REGULAR, NOVEMBER 12, 2024 6:00 P.M.

MEETING ADJOURNED: M/ ALVAREZ S/ BARSUGLIA RCVU

Pamela Johnston
Pamela Johnston
Pamela Johnston
Acting Borough Clerk

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RESOLUTION NO. 195-24

**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 2025.**

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, telegraphed 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 2025 and to file a copy of said notice in the Office of the Borough Clerk.

2. Written notice of the date, time, place and agenda of any special meeting, rescheduling meeting, hearing or any other meeting of the Borough Council not provided for in the attached schedule as required by the Open Public Meeting Act of 1975, shall be posted by the Borough of Buena on the official bulletin board and filed; and maintained in the Office of the Borough Clerk.

3. The Atlantic County Record is hereby designated as the official newspaper of the Borough of Buena and said newspaper, together with the Press and Daily Journal are hereby designated to receive all notices of meetings required under the Open Meetings Act of 1975. The Clerk of the Borough of Buena is hereby authorized and directed to mail the attached schedule to the offices of the Atlantic County Record, the Press and the Daily Journal and to provide notices of all other meetings of the Borough of Buena to said newspapers in accordance with the provisions of the Open Meetings Act.

4. It is the opinion of this body that the Press and the Daily Journal have the greatest likelihood of informing the public within the jurisdictional area of this body of such meetings.

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THE REGULAR MEETINGS OF THE COUNCIL OF THE BOROUGH OF BUENA SHALL BE HELD ON THE FOLLOWING DATES AT 6:30 P.M., AT THE BOROUGH HALL, CENTRAL AVENUE, MINOTOLA, NEW JERSEY, EXCEPT FOR THE REORGANIZATIONAL MEETING WHICH WILL BE HELD AT 6:00 P.M. AT THE BOROUGH HALL, CENTRAL AVENUE, MINOTOLA, NEW JERSEY.

MEETING	DATE	TIME
Council – Regular	January 13, 2025	6:30 P.M.
Council – Regular	January 27, 2025	6:30 P.M.
Council – Workshop	February 10, 2025	6:00 P.M.
Council – Regular	February 10, 2025	6:30 P.M.
Council – Regular	February 24, 2025	6:30 P.M.
Council – Regular	March 10, 2025	6:30 P.M.
Council – Regular	March 24, 2025	6:30 P.M.
Council – Workshop	April 14, 2025	6:00 P.M.
Council – Regular	April 14, 2025	6:30 P.M.
Council – Regular	April 28, 2025	6:30 P.M.
Council – Regular	May 12, 2025	6:30 P.M.
Council – Regular	May 27, 2025 (Tuesday)	6:30 P.M.
Council – Workshop	June 9, 2025	6:00 P.M.
Council – Regular	June 9, 2025	6:30 P.M.
Council – Regular	June 23, 2025	6:30 P.M.
Council – Regular	July 14, 2025	6:30 P.M.
Council – Regular	August 11, 2025	6:30 P.M.
Council – Workshop	September 8, 2025	6:00 P.M.
Council – Regular	September 8, 2025	6:30 P.M.
Council – Regular	September 22, 2025	6:30 P.M.
Council – Regular	October 14, 2025 (Tuesday)	6:30 P.M.
Council – Regular	October 27, 2025	6:30 P.M.
Council – Workshop	November 10, 2025	6:00 P.M.
Council – Regular	November 10, 2025	6:30 P.M.
Council – Regular	November 24, 2025	6:30 P.M.
Council – Regular	December 15, 2025	6:30 P.M.
Reorganization	January 5, 2026	6:00 P.M.

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RESOLUTION NO. 196-24

**A RESOLUTION ESTABLISHING AND IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE
SELECTION OF VARIOUS PROFESSIONAL SERVICE AGREEMENTS**

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 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 November 14, 2024.
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, Thursday, December 12, 2024.
5. Commencing 12:01 p.m. on Thursday, December 12, 2024, 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 a future meeting.

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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 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.

**RESOLUTION NO. 197-24
RISK MANAGEMENT CONSULTANT
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Governing Body of the Borough of Buena is a member of the **Atlantic County Municipal Joint Insurance Fund**, a self-insurance pooling fund, and;

WHEREAS, the Bylaws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws and;

WHEREAS, the **JIF Bylaws indicate a fee Not to Exceed six percent (6%)** of the municipal assessment (as dictated by the accompanying agreement) which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body and;

WHEREAS, N.J.S.A. 40A:11-5 (1) (m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical;

NOW THEREFORE, BE IT RESOLVED that the governing body of the Borough of Buena does hereby appoint Michael D. Donato / Insurance Agencies, Inc. as its Risk Management Consultant in accordance with 40A:11-5 and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5 (1), (a), (i).

RESOLUTION NO. 198-24

A RESOLUTION OF THE BOROUGH OF BUENA PLACING A LIEN ON BLOCK 193, LOT 3, 1005 B SOUTH CENTRAL AVE, IN ACCORDANCE WITH ORDINANCE 642

WHEREAS, the Borough of Buena established legal right to clear and lien properties in accordance with Ordinance 642; and

WHEREAS, the property located at 1005 B South Central Ave had been left in unsafe conditions; and

WHEREAS, the property has been cleared by the Borough of Buena and charges established for time and equipment per Ordinance 642;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that 1005 B South Central Ave shall have a lien for lot clearance in the amount of \$50,853.99 placed upon it upon passage of this resolution.

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RESOLUTION NO. 199-24

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF CENTRAL AVENUE (CR 627), TO THROUGH TRAFFIC ON DECEMBER 7, 2024, FROM 6:00 P.M. TO 7:00 P.M. AND DIRECTING THE BOROUGH OF BUENA RECREATION COMMISSION TO SUBMIT AN APPLICATION TO THE ATLANTIC COUNTY ENGINEER FOR A PERMIT APPROVING SAID TEMPORARY CLOSURE.

WHEREAS, the Borough of Buena Recreation Commission has scheduled a parade; and

WHEREAS, the Borough of Buena Recreation Commission have requested a portion of Central Avenue be closed during the parade to minimize the possibility of injury to person or property during the parade; and

WHEREAS, the Franklin Township Police Department has reviewed this request and has recommended that Central Avenue, from Dr. J.P. Cleary School located at 1501 S. Central Avenue, to the Buena Borough Municipal Building, 616 Central Avenue, be closed to through traffic during the parade for public safety reasons.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that Central Avenue, from Dr. J.P. Cleary School located at 1501 S. Central Avenue to the Buena Borough Municipal Building, 616 Central Avenue, be temporarily be closed on December 7, 2024, from 6:00 P.M. to 7:00 P.M.

BE IT FURTHER RESOLVED that the temporary closure of the above streets shall affect through traffic only and shall not unduly impede the ingress or egress of residents of Central Avenue, and their guests or visitors to and from their respective properties.

BE IT FURTHER RESOLVED that notice of this temporary closure shall be given to property owners along Central who are affected by same, immediately upon adoption of this Resolution.