

**BOROUGH OF BUENA
SPECIAL COUNCIL MEETING
MINUTES
November 1, 2024
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MEETING CALLED TO ORDER: 4:31 P.M.
MEETING ADJOURNED: 4:50 P.M.

CALL MEETING TO ORDER: FLAG SALUTE

ROLL CALL OF ATTENDANCE:

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

Also present: Acting Clerk Johnston, Solicitor Tonetta, Auditor Garcia, CFO Holland

SUNSHINE LAW: This meeting of November 1, 2024 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 and The Daily Journal October 28, 2024, as well as having been posted on the bulletin board at Borough Hall.

MAYOR: 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:

MOTIONED TO OPEN THE PUBLIC PORTION OF THE MEETING:

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

NO ONE SPOKE

MOTIONED TO CLOSE PUBLIC PORTION:

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

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Borough Auditor Garcia provided an overview regarding the resolutions presented this evening and explained that the budget is estimated at the beginning of each year noting at times balance transfers are necessary for certain items to extend to the end of the year.

Councilwoman Andaloro questioned the line item regarding Health Insurance. Mr. Garcia explained that the health insurance company had changed from the state to a private insurance company and would reflect the savings in next year's budget.

RESOLUTION NO. 200-24 A RESOLUTION TO AMEND TRANSFER APPROPRIATION BALANCES

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

WHEREAS, N.J.S. 40A:4-58 permitting the transfer to appropriate balances where needed for purposes specified in the budget in an amount in excess of the sum appropriated therefore from an appropriation balance deemed to be in excess of the amount necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made in the Borough of Buena Budget retroactive to November 1, 2024:

TRANSFER FROM

Audit Contract Services	\$10,000.00
Tax Collector OE	\$ 4,000.00
Land Use Board SW	\$ 3,000.00
Group Health Insurance	\$26,000.00
Streets & Roads OE	\$24,000.00
Animal Control OE	\$ 2,500.00
Fire Inspection SW	\$ 1,650.00
Telephone	\$ 1,900.00
Unemployment	\$ 1,700.00
DCRP	\$ 4,000.00

TOTAL TRANSFER \$78,750.00

TRANSFER TO

Finance OE	\$ 1,000.00
Computer OE	\$ 4,562.00
Tax Assessor SW	\$ 683.00
Tax Collector SW	\$ 139.00
Borough Admin SW	\$ 184.00
Legal Expenses OE	\$25,000.00
Engineer OE	\$ 5,000.00
Public Bldg & Grds OE	\$ 20,000.00
JIF General Ins.	\$ 499.00
Disability Insurance	\$ 785.00
Trash OE	\$ 9,795.00
Construction SW	\$ 1,103.00
Gas/Heat	\$ 2,000.00
Electric	\$ 8,000.00

TOTAL TRANSFER \$78,750.00

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Auditor Garcia recapped that last year's budget was designed to keep the budget tight and this resolution is authorizing additional spending for those areas. Mayor and council discussed the changes with restructured EMS, Fire Department and those buildings that were added to the budget as well as legal fees.

RESOLUTION NO. 201-24 A RESOLUTION FOR EMERGENCY APPROPRIATION

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

WHEREAS, an emergency has arisen with respect to the budget lines for "Emergency Management Services – Salaries & Wages" and "Garbage & Trash Removal – Other Expenses" due to the fact that Personnel Costs and Tipping Fees are greater than originally estimated and budgeted by the Borough of Buena, and it is in the best interest of the Borough to protect and promote the public health, safety and welfare of the Borough; and

WHEREAS, no adequate provision was made in the 2024 budget for the aforesaid purposes, and the N.J.S.A. 40A:4-49 provides for the creation of emergency appropriations for the purposes above mentioned; and

WHEREAS, the total amount of emergency appropriations created previously is \$40,000 and this resolution will create and additional \$164,000.00 and three percent of the total operations in the budget for the year 2024 is \$162,665.00,

NOW, THEREFORE BE IT RESOLVED (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-49, petition be made to the Director of the Division of Local Government Services for permission to exceed the statutory limitation of 3 percent for the creation of an appropriation for the purpose set forth in the preamble in accordance with the following:

1. Emergency appropriations be and the same is hereby made for:
 Emergency Management Services – Salaries & Wages - \$120,000
 Garbage & Trash Removal – Other Expenses - \$44,000
2. That the said emergency appropriations shall be provided in full in the year 2025 budget and the amount in excess of 3% be within CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That if deemed to be necessary, an Emergency Note not in excess of the above amount be authorized pursuant to NJS 40A:4-51
4. That if deemed necessary, such note shall be executed by the Chief Financial Officer
5. That if necessary, such note shall be dated 2024 and may be renewed from time to time, and such note and any renewals shall be payable on or before December 31, 2025.
6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy transmitted to the Director of the Division of Local Government Services
7. 7. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

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MEETING ADJOURNED: M/ALVAREZ S/ANDALORO RCVU

Pamela Johnston
Pamela Johnston
Acting Borough Clerk