

**BOROUGH OF BUENA
MINUTES
SEPTEMBER 10, 2018
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MEETING CALLED TO ORDER: 6:35 P.M.
MEETING ADJOURNED: 6:56 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, September 10, 2018 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, via email, to the Press of Atlantic City, the Daily Journal and the Atlantic County Record on November 16, 2017, as well as having been posted on the bulletin board at Borough Hall.

PRESENT: Councilpersons Marolda, Baker, Mancuso, and Alvarez, Angela Maione Costigan, Solicitor and Jill McCrea, Administrator, Maryann Coraluzzo, Borough Clerk

ROLL CALL OF ATTENDANCE:

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

MAYOR'S REPORT:

**RESOLUTION 90-18 RESOLUTION OBJECTING TO NJ TRANSIT SHUTDOWN OF ATLANTIC CITY RAIL LINE
m/Baker s/Mancuso**

WHEREAS, The Atlantic City Line has been operated by NJ Transit since 1995, after Amtrak bowed out on a joint operation it had with NJ Transit since 1989; and

WHEREAS, NJ Transit plans to shut down the Atlantic City Line for four months starting Tuesday, September 4, according to a memo sent Friday, August 3, 2018, from Richard Green Jr., NJ Transit Director of Rail Operations obtained by NJ Advance Media; and

WHEREAS, NJ Transit officials stated the shutdown is necessary to install federally mandated Positive Train Control (PTC) equipment which uses computers and radios to stop a train if the operator fails to obey signals or speed limits; and

WHEREAS, according to an article in Progressive Railroading, in the past three months NJ Transit's PTC project completion percentage has increased from 13 percent to 52 percent, according to Executive Director Kevin Corbett, without the shutdown of any rail line thus far; and

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WHEREAS, the installation of PTC equipment has sidelined an average of 30 to 40 locomotives and cab cars a month as NJ Transit tries to meet a Dec. 31, 2018 deadline to have all the hardware installed; and

WHEREAS, so far, NJ Transit hasn't installed enough equipment to satisfy the Federal Railroad Administration and qualify for a two-year extension of the PTC to 2020;and

WHEREAS, the memo of August 3, 2018 comes as NJ Transit canceled 18 rush- hour trains that Friday morning, blaming it on crew and equipment shortages and a shortage of rail cars and locomotives resulting in trains that are missing one or two cars, causing severe overcrowding and complaints from commuters; and

WHEREAS, the Council of the Borough of Buena is concerned that NJ Transit may be stripping South Jersey, and specifically Atlantic County, of vital services at a critical time in our economic renaissance; and

WHEREAS, the Council of the Borough of Buena echoes the sentiments of our State representative, Senator Chris Brown, in his letter August 9, 2018 letter to John Del Colle, Senior Director, Legislative Relations, NJ Transit, wherein -he stated:

"In particular, I believe completely shutting down and re-deploying equipment and personnel from the Atlantic City Rail Line to other parts of the State is unfair to the local, working families I represent.

NJ TRANSIT'S plan to replace the train service with bus service provides no relief for families traveling from Atlantic County.

Those traveling from Atlantic County have to take the non-express No. 554 Bus, extending commutes up to two hours, without access to a restroom. Further, many commuters tell me they will not benefit from the 25% ticket discount since they are being forced to make more transfers.

As I shared with you in our conversation, when NJ TRANSIT performed signal and track repairs between April and June 2018, it continued a morning and evening commuter schedule. I question why NJ TRANSIT cannot provide train service on the same schedule it did between April and June 2018 while it installs advance positive train controls. Completely shutting down the Atlantic City Rail Line so that NJ TRANSIT can transfer rail resources to other parts of the State at the expense of our local families is completely unacceptable.

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If there are legitimate safety reasons why NJ TRANSIT cannot run rail service in the morning and in the evening, then I believe it is only appropriate NJ TRANSIT provides express bus service from the Atlantic City, Absecon, Egg Harbor City, Hammonton, and Alco train stations, particularly during the morning and evening commute hours, to Lindenwold. Providing access to express bus service in Atlantic County only makes sense given the circumstances.

In order to make sure the express bus line for Atlantic County families is implemented, NJ TRANSIT should work with the South Jersey Transportation Authority. As you know, the SJTA has buses and shuttles that can be used to ease the burden on Atlantic County commuters.

Atlantic County families deserve the same level of service, resources, and accommodations you are providing to other counties"; and

WHEREAS, Bob McDevitt, President of Unite Here Local 54, which represents 10,000 casino hotel workers in Atlantic City, reported to The Philadelphia Inquirer that casino workers living in western Atlantic County and Camden County still rely on the rail line. He also commented that "There's no way a local bus can get you from Lindenwold to Atlantic City in the same time a train can"; and

WHEREAS, a petition on change.org, started by Nick Pittman on August 7, 2018, entitled "Stop NJ Transit from suspending the Atlantic City Rail Line" has already reached over 2,400 signatures as of the drafting of this resolution;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Buena joins Senator Chris Brown and Bob McDevitt of Local 54, and their constituents and members, in vigorously opposing NJ Transit's shut down of the Atlantic City Rail Line on September 4, 2018 and hereby requests that NJ Transit prepare a plan to accommodate its rail passengers in our region - workers and visitors supporting our local tourism alike - by continuing service while implementing the necessary PTC equipment over the approved 2 year extension period; and

BE IT FURTHER RESOLVED, that the Council of the Borough of Buena demands that the Board meet with John Del Colle, Senior Director, Legislative Relations, NJ Transit, to discuss the shutdown and other alternatives.

BE IT FURTHER RESOLVED, that a copy of this Resolution be distributed to all elected officials representing residents in Atlantic County from the municipal level up through the Office of the Governor; NJ DOT; SJTA; ACEA; Kevin Corbett, Executive Director, NJ Transit; John Del Colle, Senior Director, Legislative Relations, NJ Transit; Bob McDevitt, President of Unite Here Local 54; and the leadership of the AFL-CIO Central Labor Council; encouraging them all to sign the petition and join the fight against this rail shut down.

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

NEED MOTION TO APPROVE ITEMS ON THE CONSENT AGENDA:

m/Baker s/Mancuso

RESOLUTION 91-18 **A RESOLUTION OF THE BOROUGH OF BUENA AWARDING A CONTRACT TO REMINGTON, VERNICK AND WALBERG FOR ENGINEERING SERVICES FOR FY2018 MUNICIPAL AID PROJECT-RECONSTRUCTION OF FOREST GROVE ROAD.**

RESOLUTION 92-18 **APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF SOUTH BOULEVARD PROJECT.**

RESOLUTION 93-18 **A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND THE OVERPAYMENT IN THE AMOUNT OF \$1,477.34**

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

RESOLUTION 94-18 **A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, APPROVING AN AGREEMENT BETWEEN THE BOROUGH OF BUENA AND THE BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY TO REPAVE LOUIS DRIVE**
m/Baker s/Mancuso

WHEREAS, the Borough of Buena MUA recently completed installation of a sanitary sewer extension on Louis Drive. The MUA project included restoration of the utility trench and;

WHEREAS, upon completion of construction, the contractor suggested that due to the area of pavement disturbance, in lieu of restoring the trench, repaving of the entire roadway should be considered, and;

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WHEREAS, the contractor's updated pricing to repave the entire roadway includes replacing the existing inlets and cross drain in the middle of the roadway, pulverizing, reshaping and compacting the roadway, resetting the manhole castings and repaving the entire roadway in the amount of \$72,629.00, and;

WHEREAS, The MUA allocated \$42,000.00 to restore the trench. Therefore, a balance of \$30,629.00 is needed to repave Louis Drive, and;

WHEREAS, a change order for the work must be approved and paid for by the MUA, and;

WHEREAS, funds in the amount of \$30,629.00 have been certified to be available in account number 2686269 as evidenced by the attached Certificate of Availability of Funds, and;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the Mayor is authorized to execute an agreement with the Borough of Buena MUA, in a form approved by the Borough Solicitor, for reimbursement to the Borough of Buena MUA in the amount of \$30,629.00 for the repaving of Louis Drive.

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

**RESOLUTION 95-18 BOROUGH OF BUENA OFFICIAL DEPOSITORY/AUTHORIZED
SIGNATURES
m/Baker s/Mancuso**

WHEREAS, N.J.S.A 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies, a bank or trust company having its business in the State of New Jersey and organized under the laws of the United States or this State.

BE IT RESOLVED, by the Mayor and Council of the Borough of Buena that Newfield National Bank, TD Bank, BB&T, Sun National Bank and Capital Bank be and the same are hereby designated the official Depositories of the Borough of Buena; and

NOW, THEREFORE, BE IT RESOLVED, that authorized signatures for depositories for the year 2018 are as follows:

David Zappariello, Mayor, Rosalie Baker, Council President, Maryann Coraluzzo, Cynthia LoGuidice, Diane Bassetti, and Jill McCrea are authorized for the following:

- | | |
|-------------------------|---------------------|
| Animal Control | Donations EMS |
| Current Acct. | Developers Escrow |
| General Capital | Housing Trust |
| 40% Small Cities | Payroll Acct |
| UFS Penalty | UFS Acct |
| Recreation Comm. | Recycling Trust |
| Small Cities Block | Tax Collection |
| Tax Title Lien | Tax Title Lien Prem |
| Landfill Escrow Closure | |

David Zappariello, Mayor, Rosalie Baker, Council President, Maryann Coraluzzo, Cynthia LoGuidice, Diane Bassetti, Valerie Santagata-Jones and Jill McCrea are authorized for the following:

Construction Code Occupancy

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

**RESOLUTION 96-18 RESOLUTION TO CLOSE THE LANDFILL ESCROW CLOSURE ACCOUNT
IN BB&T AND REOPEN AT NEWFIELD NATIONAL BANK
m/Baker s/Alvarez**

WHEREAS, the Landfill Escrow Closure Account CD has matured and there is a need to move the account to Newfield Bank to receive better terms and conditions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the Landfill Escrow Closure account will be moved to Newfield National Bank and be opened into a Trust Account approved by Dedication of Rider Resolution 71-15.

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

ADMINISTRATORS'S REPORT: Administrator McCrea covered everything in the workshop meeting.

SOLICITOR'S REPORT:

Fair Share Housing

Judge Johnson entered an Order dated 8/28/18 granting 3rd tier compliance and repose.

Mobile Home Services Fees

An ordinance needs to be prepared with the Land Use Board for regulation of mobile homes and implementation of municipal fees.

Madison Estates Major Subdivision Lauren Court, Block 201-Lot 48.01

In conjunction with Remington and Vernick, Borough Engineers, I will contact the Bonding Company, conduct a site visit and determine remaining issues.

Revaluation

On August 31, 2018, a letter was sent to the Atlantic County Tax Board requesting a 1 year extension to 2020 for revaluation.

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ENGINEER' S REPORT

Replacement of the Plymouth Street Culverts

A Notice to Proceed was issued effective July 9, 2018. Work commenced on July 11, 2018. An existing gas main conflicted with the proposed new culverts and had to be relocated which delayed the project. We are currently working with the contractor to obtain the permits necessary to perform the construction dewatering.

FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street

The contractor has completed some of the storm drainage work. The project will proceed fully once the culvert replacement is complete.

Master Plan Re-Examination

Our office is finalizing the plan. We recommend conducting public meetings to discuss the plan prior to presentation to the Land Use Board.

FY2016 NJDOT Municipal Aid Project - Resurfacing of Forest Grove Road

A pre-construction meeting for the project took place on August 14, 2018. We are coordinating the construction schedule with the contractor.

FY2018 NJDOT Municipal Aid Application – Reconstruction of Forest Grove Road

The Borough was awarded \$264,130.00 for this project. A proposal was submitted for engineering services.

COMMITTEE REPORTS:

ROADS/RECYCLING: (COUNCILMAN MAROLDA) No report

ECONOMIC DEVELOPMENT: (COUNCILMAN WALKER) No report

RECREATION: (COUNCILWOMAN BAKER) Council President Baker reported the Route 54/40 Shuttle had 1,014 passengers during the month of July. This was an average of 48 passengers per day.

Minotola Methodist Church has a very successful BBQ on August 25th. Thanks to all who participated and attended.

Upcoming activity: On Saturday, September 30th at 3pm Historic Friendship Church is have a Walk in the Past. Mark Demitroff will present a Journey through the last heritage of the area and communities surrounding Historic Friendship Church.

FINANCE: (COUNCILMAN MANCUSO) No report

PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN ALVAREZ) Councilman Alvarez gave police statistics for July 2018 and EMS had 98 calls with 38 being outside of the Borough.

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

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CLERK'S REPORT:

Minutes of the workshop meeting of August 13, 2018 were approved m/Bakers/Mancuso

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

Minutes of the regular meeting of August 13, 2018 were approved m/Bakers/Mancuso

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

Minutes of the special meeting of August 16, 2018 were approved m/Bakers/Mancuso

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

Minutes of the special meeting of August 27, 2018 were approved m/Bakers/Alvarez

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

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UNFINISHED BUSINESS: None

NEW BUSINESS: None

BILLS PAID AS LISTED: m/Baker s/Alvarez

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

PUBLIC PORTION:

Brian Fatcher of Kimberly Lane asked about the reassessment required by the County. He also asked if there was any update from the County regarding the paving of Central Avenue this year.

**A MOTION ACCEPTING THE RESIGNATION OF BRIANNA PACE
m/Baker s/Alvarez**

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

NEXT MEETING: September 24, 2018

MEETING ADJOURNED: m/Baker s/Mancuso

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

**BRIANNA PACE
DEPUTY CLERK**

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