

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
AGENDA
SEPTEMBER 12, 2016**

**MEETING CALLED TO ORDER: P.M.
MEETING ADJOURNED: P.M.**

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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

SUNSHINE LAW: This meeting is 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.

MAYOR'S REPORT: First order of business.

ORDINANCE 641 NEED MOTION TO OPEN THE PUBLIC HEARING ON:

ORDINANCE AMENDING CHAPTER 150 SECTION 7 OF THE CODE OF THE BOROUGH OF BUENA ESTABLISHING FEES FOR ZONING PERMITS ISSUED BY THE BUENA BOROUGH ZONING OFFICER
M _____ S _____

WHEREAS, the Borough Council of the Borough of Buena has determined the need to review the fees charged for the issuance of Zoning Permits, Certificates of Zoning Compliance and Certificates of Preexistence Nonconforming Use or Structures by the Zoning Officer;

WHEREAS, The Borough Council finds it to be in the best interest of the Borough to increase the fees for said services in order to cover the increase in costs associated with the research, review and issuance process of the Zoning Officer.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Buena as follows:

1. Zoning Officer fee for a Zoning Permit shall be \$30.00.
2. Zoning Officer fee for certification of Zoning Compliance shall be \$30.00.
3. Zoning Officer fee for Certificate of preexisting non-conforming structure shall be \$30.00.

BE IT FURTHER ORDAINED that the fees set forth herein above shall take effect upon adoption according to law.

BE IT FURTHER ORDAINED that the fees set forth herein above shall automatically increase by 2% commencing January 1, 2017 and shall increase

on the first day of January of each year thereafter.

BE IT FURTHER ORDAINED that any Ordinance or portion thereof that is inconsistent with the terms of this Ordinance shall be repealed to the extent of such inconsistency.

DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING:

M _____ S _____

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

ORDINANCE 641 ADOPTED:

M _____ S _____

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

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

ORDNANCE NO. 642 NEED MOTION TO OPEN THE PUBLIC HEARING ON:

AN ORDINANCE AMENDING ORDINANCE NO. 492, CHAPTER 181 OF THE CODE OF THE BOROUGH OF BUENA, AS AMENDED, ENTITLED "PROPERTY MAINTENANCE CODE."

M _____ S _____

WHEREAS, the Borough of Buena finds it necessary to regulate and govern the conditions and maintenance of all property, buildings and structures within the Borough by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use and further to provide

for the condemnation and demolition of buildings and structures unfit for human occupancy and use as well as providing for the issuance of permits and collection of fees therefore;

WHEREAS, the Borough has adopted Ordinance 492 as amended adopting the International Property Maintenance Code which has been updated in 2015.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Buena that Ordinance 492, as amended, is further amended as follows:

181-1.1 Adoption of Property Maintenance Code

That a certain document, three copies of which are on file in the office of the Clerk of the Borough of Buena, being marked and designated as the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 Edition, as published by the INTERNATIONAL CODE COUNCIL, be and is hereby adopted as the PROPERTY MAINTENANCE CODE of the Borough of Buena in the State of New Jersey for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said PROPERTY MAINTENANCE CODE on file in the Office of the Clerk of the Borough of Buena are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 181-1.2.

181-1.2 Additions, Insertions and Changes

The following sections of the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 Edition, are hereby amended and revised in the following respects:

Section 101.1 Insert: Borough of Buena

Section 102.3 insert "Nothing in this Code shall be construed to cancel, modify, set aside any provision of any Ordinance or Code except to the extent of a conflict herewith."

Section 103.5 Insert: \$50.00 (Fifty) Dollars to \$1,000.00 (One Thousand) Dollars or as outlined in all Borough Ordinances and Regulations.

Section 106.3 Insert: "For purposes of costs of use of equipment, the Borough adopts the FEMA Schedule of Equipment Rates 44 CFR Section

206.228. Rates for equipment not listed will be charges according to actual costs. Additional costs for personnel and soft costs will be in addition hereto."

Section 111 shall be deleted in its entirety.

Section 112.4 Insert: Not less than \$250.00 (Two Hundred and Fifty) Dollars or more than \$1,000.00 (One Thousand) Dollars.

Section 302.4 Insert: Eight inches in height

Section 304.14 Insert: From May 1st to October 1st

Section 602.3 Insert: From October 1st to May 1st

Section 602.4 Insert: From October 1st to May 1st

Section 181-1.3 Repealer. Ordinance No. 492, Chapter 18 of the Borough of Buena, as amended, entitled "PROPERTY MAINTENANCE" and all other Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of the conflict and the balance shall remain in full force and effect.

Section 181-1.4 Saving Clause. That if any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Borough Council of the Borough of Buena hereby declares that it would have passed this law, and each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses and phrases be declared unconstitutional.

Section 181-1.5 Further, nothing in this Ordinance or in the PROPERTY MAINTENANCE CODE hereby adopted shall be construed to affect any suit or proceeding pending in any Court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or Ordinance hereby repealed as cited in Section 181-1.3 of this Ordinance nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation. Nothing in this Chapter shall be construed to abrogate or impair the power of the Borough of Buena or any officer or department to enforce any provisions of its ordinances or regulations nor to prevent or punish violations thereof, and the powers conferred by this Chapter shall be in addition and supplemental to the powers conferred upon the Borough by any other law or ordinance.

BE IT FURTHER ORDAINED that the Clerk of Borough of Buena is hereby Ordered and Directed to cause this Ordinance to be published in accordance

with the laws of the State of New Jersey.

BET IT FURTHER ORDAINED that this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on and after the date of its final passage and adoption according to law.

DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING:

M _____ S _____

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

ORDINANCE 642 ADOPTED:

M _____ S _____

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

RESOLUTION 96-16 AWARDING BANKING SERVICES TO NEWFIELD NATIONAL BANK

M _____ S _____

WHEREAS, the Borough of Buena requested proposals for a money management system for banking series to be implemented on or after September 1, 2016; and

WHEREAS, on July 7, 2016 obtained Request for Proposals of said banking services, the Borough of Buena, consistent with the local Public Contracts Law (N.J.S.A. 40A:11-1 et.seq.), for such municipal banking services; and

WHEREAS, in response to the Request for Proposals the Borough received three (3) proposals for banking services on July 22, 2016; and

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Borough of Buena award the contract to NEWFIELD NATIONAL BANK, 18 S. West Boulevard, Newfield, New Jersey 08344, to provide the highest level of banking services and the most economic and efficient standards that will be in the best interests of the Borough and its taxpayers; and

BE IT FURTHER RESOLVED that the Mayor, Chief Financial Officer and Borough Clerk are hereby authorized to execute any and all documents in connection with the submitted proposal and the designation of Newfield National Bank as an official depositor of the Borough of Buena, County of Atlantic, State of New Jersey.

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

PERSONNEL:

RESOLUTION 97-16 A RESOLUTION APPOINTING BRIANNA PACE TO THE POSITION OF FULL TIME CLERK 1, EFFECTIVE SEPTEMBER 19, 2016. M _____ S _____

WHEREAS, long time Deputy Clerk, Gail Knott, retired effective August 31, 2016; and

WHEREAS, Brianna Pace was appointed to the position of Part Time Clerk 1 on July 1, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena as follows:

1. Brianna Pace is hereby appointed to the position of Full Time Clerk 1, effective September 19, 2016 at a salary of \$25,000.00 per year.

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

RESOLUTION 98-16 A RESOLUTION APPOINTING ROBERT DELANO AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE BOROUGH OF BUENA EFFECTIVE SEPTEMBER 13, 2016 AND EXPIRING SEPTEMBER 12, 2021. M _____ S _____

WHEREAS, on September 13, 2016, the appointment of Robert Delano will expire as a Commissioner of the Housing Authority of the Borough of Buena; and

WHEREAS, the Council of the Borough of Buena has determined to reappoint Robert Delano to a full five year term as a Commissioner of the Housing Authority of the Borough of Buena.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA that Robert Delano be and he is hereby appointed as a Commissioner of the Housing Authority of the Borough of Buena for a term of five years, commencing September 13, 2016 and expiring September 12, 2021.

BE IT FURTHER RESOLVED that the Clerk of the Borough of Buena is directed to forward a certified copy of this Resolution to the Executive Director of the Housing Authority of the Borough of Buena in order to advise the Authority

of this appointment.

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

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 :

SOLICITOR'S REPORT :

COMMITTEE REPORTS :

- ROADS/RECYCLING..... CHAIRMAN JEFFREY MAROLDA
JOSEPH MANCUSO, GREG MCAVADDY
- RECREATION.....CHAIRMAN MATTHEW WALKER
ROSALIE M. BAKER, JEFFREY MAROLDA
- FINANCE.....CHAIRWOMAN ROSALIE M. BAKER
ROBERT JAMES, MATTHEW WALKER
- PUBLIC SAFETY/STREET LIGHTS..... CHAIRMAN ROBERT JAMES
GREG MCAVADDY, JEFFREY MAROLDA
- ECONOMIC DEVELOPMENT.....CHAIRMAN JOSEPH MANCUSO
ROSALIE M. BAKER, ROBERT JAMES
- BLDGS/GROUNDS/IMPROVEMENTS..... CHAIRMAN GREG MCAVADDY
JOSEPH MANCUSO, MATTHEW WALKER

PUBLIC PORTION OF MEETING :

Anyone wishing to address Mayor and Council only, please step forward and give your name and address for the record.

CLERK'S REPORT :

Minutes of the regular meeting of August 15, 2016. If no corrections or additions, entertain a motion to approve M_____S_____

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

UNFINISHED BUSINESS:

NEW BUSINESS:

BILLS PAID AS LISTED: M _____ S _____

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

NEXT MEETING: SEPTEMBER 26, 2016

MEETING ADJOURNED: M _____ S _____

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