

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 8, 2014
MEETING CALLED TO ORDER: 7:00 P.M.
MEETING ADJOURNED: 7:30 P.M.**

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, September 8, 2014 commencing at 7:00 p.m. at the Borough Hall with Council President, Rosalie M. Baker, presiding. Council President Baker 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 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.

PRESENT: Councilpersons Marolda, James, Baker, Zappariello, Cugini, and McAvaddy, Dr. Paul Trivellini, Administrator, Richard P. Tonetta, Solicitor and Gail Knott, Deputy Clerk

ABSENT: Mayor Baruffi

MAYOR'S REPORT:

A moment of silence was held for Glen Ortman, Borough Auditor.

ORDINANCE NO. 623 INTRODUCED AND PASSED ON FIRST READING:

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A
DONATION OF CERTAIN REAL ESTATE KNOWN AS 100
N. HARDING HIGHWAY FROM SUSAN GIRARDI.
m/Cugini s/Marolda

WHEREAS, Susan Girardi is the owner of a certain parcel of land located in the Borough of Buena, known as 100 N. Harding Highway, Block 140, Lot 12, on the tax map of the Borough of Buena (Property); and

WHEREAS, the Property is located at a location of the Borough that is an entrance way to the Borough from Route 40; and

WHEREAS, the Borough Council finds that the Property will be useful for its needs to the Borough and will enhance the capability of creating a gateway appearance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Buena that the Mayor and Council graciously accepts the generous donation from Susan Girardi of 100 N. Harding Highway, Block 140, Lot 12.

This Ordinance shall take effect immediately after final passage and publication as required by law.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 121-14 A RESOLUTION APPROVING AN ALCOHOLIC BEVERAGE LICENSE FOR THE 2014-2015 TERM.
m/Cugini s/Zappariello

WHEREAS, application for renewal of liquor licenses for the 2014-2015 year have been filed with the Borough Clerk; and

WHEREAS, all filing fees have been paid and all applications hereinafter identified are complete.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the retail consumption license listed below be and is hereby renewed for the 2014-2015 licensing year.

MIDWAY HOLDINGS LLC
0104-33-010-003

BE IT FURTHER RESOLVED that the Municipal Clerk is instructed to issue said license.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 122-14 A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND AN OVERPAYMENT FOR BLOCK 175, LOT 1.01, 101 NORTH WEST AVENUE, PAYABLE TO CORELOGIC IN THE AMOUNT OF \$1,551.00. m/Zappariello s/Marolda

WHEREAS, there exists a tax overpayment for Block 175, Lot 1.01, 101 North West Avenue on tax map; and

WHEREAS, it has been determined by the tax collector that the overpayment should be refunded and the tax account adjusted to reflect said refund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena, in the County of Atlantic, State of New Jersey that Block 175, Lot 1.01, 101 North West Avenue, overpayment in the amount of \$1,551.00 be refunded and payable to CoreLogic. The Tax Collector is hereby authorized to adjust the tax account in the amount of \$1,551.00.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>	<u>REFUND</u>
<u>175</u>	<u>1.01</u>	<u>PAYABLE TO:</u> <u>CORELOGIC</u> <u>1 CORELOGIC DRIVE</u> <u>MAIL CODE: DFW 1-3</u> <u>WESTLAKE, TX 76262</u> <u>ATTN: TAX REFUNDS</u>	<u>\$1,551.00</u>

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 125-14 A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE BOROUGH OF BUENA AND LINE SYSTEMS, INC., FOR SUPPLY AND DELIVERY OF LOCAL AND LONG DISTANCE TELEPHONE EXCHANGE SERVICE.
m/Cugini s/McAvaddy

WHEREAS, the Borough of Buena requires certain professional technologies to supply and deliver local and long distance telephone exchange service for the Borough of Buena; and

WHEREAS, Line Systems, Inc., has supplied telecommunications services for various businesses, governments and school at a sizeable savings; and

WHEREAS, the Borough of Buena desires to proceed with a professional service contract for a telecommunications service provider for local and long distance exchange service; and

WHEREAS, a contract for Professional Services with Line Systems Inc., may be entered into without competitive bidding pursuant to NJSA 40A:11-5(1)(f); and

WHEREAS, Line Systems Inc., has completed and submitted a Business Registration Certificate and a Business Entity Disclosure Certification which certifies that Line Systems, Inc., has not made any reportable contributions to a political candidate or committee for an elected office in the Borough of Buena in the previous one year period and acknowledging that the contract will prohibit Line Systems Inc., from making any reportable contributions through the term on the contract.

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

1. Line Systems, Inc., is hereby engaged as a telecommunications service provider for local and long distance exchange service for the Borough of Buena in accordance with the submitted proposal.
2. The term of the contract shall be for a period of three years effective September 9, 2014 and expiring September 8, 2017 at a rate of \$999.55 per month.
3. A copy of this Resolution and Contract shall be available for inspection in the Borough of Buena's Clerk's Office.
4. A copy of the Business Entity Certificate is on file in the Borough of Buena's Clerk's Office.
5. A notice of this action shall be printed once in this official newspaper of the Borough of Buena.
6. The Mayor and Clerk are hereby authorized to execute an Agreement between the Borough of Buena and Line Systems, Inc.

It was the opinion of Councilman Zappariello that this agreement should be for a one year period. The Borough Administrator explained the cost savings is only with a three year period agreement.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO		X		
CUGINI	X			
MCAVADDY	X			

RESOLUTION 126-14 A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH DM MEDICAL BILLINGS, LLC, FOR BILLING AND ACCOUNTS RECEIVABLE SERVICES FOR BUENA BOROUGH EMERGENCY MANAGEMENT SERVICES.
m/Cugini s/Zappariello

WHEREAS, the Borough of Buena operates an Emergency Management Services (EMS) for the residents of the Borough as well as surrounding communities as needed; and

WHEREAS, the Borough requires the service of a billing agent to provide competent and reliable billing practices and procedures to ensure proper filing of insurance claims, invoicing patients and processing reimbursement payments; and

WHEREAS, DM Medical Billings, LLC, has extensive experience and staff to provide the services as required which allow the Buena Borough EMS to have a faster turn-around time at the hospitals for patient registration.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Buena that the Mayor and Clerk are authorized to execute an Agreement for Billings and Accounts Receivable Services with DM Medical Billings, LLC, Berlin, New Jersey, for the term on September 8, 2014 to September 7, 2015 in accordance with the form on file with the Clerk of the Borough of Buena.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 131-14 A RESOLUTION AUTHORIZING A PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0104-33-010-00 HERETOFORE ISSUED TO MIDWAY HOLDINGS LLC TO MARTIN'S CUSTOM CATERING, INC.
m/Cugini s/Marolda

WHEREAS, the Borough of Buena has heretofore issued Plenary Retail Consumption License No. 0104-33-010-003 to Midway Holdings, and

WHEREAS, an application has been submitted to the Borough of Buena for a person to person and place to place transfer of such license by submitting the appropriate application for transfer to the Clerk of the Borough of Buena; and

WHEREAS, the Borough Council finds that the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes and the regulations promulgated thereunder, as well as pertinent local ordinances; and

WHEREAS, the Borough Council finds the applicant has disclosed and the Municipal Police Department has reviewed the source of funds to be used by the applicant in the purchase of said Plenary Retail Consumption license; and

WHEREAS, notice of application for transfer has been published in The Press, a newspaper published in Atlantic County and circulating in the Borough of Buena; and

WHEREAS, all other aspects of the application for a person to person and place to place transfer of Plenary Retail Consumption License No. 0104-33-010-003 has been complied with by the applicant.

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

1. Plenary Retail Consumption License No. 0104-33-010-003 heretofore issued to Midway Holdings, LLC be and the same is hereby transferred to Martin's Custom Catering Inc., for premises located at 311 South Harding Highway effective September 9, 2014, subject to all its terms and conditions including the fact that no further renewals of the license shall be granted unless the license is being actively used at an approved site on or before June 30, 2015 unless good cause for reconsideration is shown.

2. The Clerk of the Borough of Buena is hereby authorized to transfer Plenary Retail Distribution License No. 0104-33-010-003 to Martin's Custom Catering, Inc.

3. The Clerk of the Borough of Buena is hereby authorized to forward a certified copy of this Resolution to the Division of Alcoholic Beverage Control, State of New Jersey, together with a copy of the application and applicable transfer fee immediately upon transfer of said license.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

PERSONNEL:

RESOLUTION 113-14 A RESOLUTION ACCEPTING THE RESIGNATION OF CHRISTINA DUBOIS FROM THE POSITION OF LAND USE BOARD ALTERNATE II BOARD MEMBER.
m/Zappariello s/McAvaddy accepted with regrets

WHEREAS, Christina DuBois served as an Alternate Land Use Board Member; and

WHEREAS, during her tenure, Christina DuBois performed her duties in an efficient and professional manner; and

WHEREAS, Christina DuBois has decided to resign effective August 1, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the resignation of Christina DuBois be regretfully accepted effective August 1, 2014.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 123-14 A RESOLUTION APPOINTING SAMUEL J. MARTINELLI AS POLICE SERGEANT PERMANENT EFFECTIVE SEPTEMBER 8, 2014.
m/Cugini s/Zappariello

WHEREAS, Samuel J. Martinelli has been serving as a provisional police sergeant since January 29, 2013; and

WHEREAS, Sergeant Martinelli is eligible, pursuant to the NJ Civil Service, to become permanent in this position.

WHEREAS, the Borough Council finds that, in accordance with the recommendations of the Public Safety Director, it is in the best interest of the Buena Borough Police Department and the Borough of Buena to make said position permanent.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Buena that Samuel J. Martinelli be appointed to the position of Permanent Sergeant, Buena Borough Police Department, effective September 8, 2014.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 124-14 A RESOLUTION APPOINTING JOHN CAPEHART AS POLICE SERGEANT PERMANENT EFFECTIVE SEPTEMBER 8, 2014.
m/Cugini s/McAvaddy

WHEREAS, John Capehart has been serving as a provisional police sergeant since March 11, 2014; and

WHEREAS, John Capehart is eligible, pursuant to the NJ Civil Service, to become permanent in this position.

WHEREAS, the Borough Council finds that, in accordance with the recommendations of the Public Safety Director, it is in the best interest of the Buena Borough Police Department and the Borough of Buena to make said position permanent.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Buena that John Capehart be appointed to the position of Permanent Sergeant, Buena Borough Police Department, effective September 8, 2014.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 127-14 A RESOLUTION OF THE BOROUGH OF BUENA APPOINTING PAUL F. PANCHESINE TO THE POSITION OF OFFICER, BUENA BOROUGH POLICE DEPARTMENT EFFECTIVE SEPTEMBER 9, 2014. m/Cugini s/McAvaddy

WHEREAS, there are presently vacancies in the Buena Borough Police Department which need to be filled so as to provide for the continued public safety to the Borough residents; and

WHEREAS, the Director of Public Safety and the Buena Borough Police Officer In Charge have reviewed applications from the Civil Service List of Eligibles and have performed necessary investigations, evaluations and interviews of said applicants; and

WHEREAS, the Director and Officer In Charge have recommended Council favorably consider appointing Paul F. Panchesine as Full Time Officer to the Buena Borough Police Department subject to his successful completion of all required training including attendance at a certified police academy.

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

1. Paul F. Panchesine shall be appointed to the position of Patrol Officer for the Buena Borough Police Department Full Time conditioned upon his completion of the Police Academy which will be funded by the Borough of Buena. Further, he shall not be permitted to perform any duties as a Police Officer until he has successfully completed all training required and is certified to serve in the capacity of Police Officer.
2. Paul F. Panchesine shall receive a starting salary which is designated as "Academy" in the wage scale of the current Collective Bargaining Agreement.
3. Upon his successful completion of the Police Academy as well as any other necessary requirements, Paul F. Panchesine shall serve as Full Time Patrol Officer for the Borough of Buena subject to the current Collective Bargaining Agreement.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 128-14 A RESOLUTION RETAINING JOSEPH ANTHONY RASCONE AS SCHOOL CROSSING GUARD FOR THE BOROUGH OF BUENA. m/Cugini s/Zappariello

WHEREAS, the Director of Public Safety has recommended filling the position of school crossing guard; and

WHEREAS, Joseph Anthony Rascone is currently serving in this position.

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

1. Joseph Anthony Rascone shall be reappointed to the position of part-time crossing guard for two hours per school day.
2. Joseph Anthony Rascone shall be paid an hourly rate of \$8.50 which shall be paid from the Buena Borough Police Department Salary and Wages.
3. The position of school crossing guard shall be under the auspices and direct control of the Buena Borough Police Department and Director of Public Safety.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 130-14 A RESOLUTION ACCEPTING THE RESIGNATIONS OF EMERGENCY MEDICAL TECHNICIANS FROM BUENA EMS. m/Cugini s/McAvaddy

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the following resignations be regretfully accepted effective immediately:

- | | |
|--------------------------------|-------------------------|
| Patricia Cohen | Michael Castrataro, Jr. |
| Jess Miller | Michael Linz, Jr. |
| Brandon Dimter | Kedar Dockery |
| Michelle Reign | Burt Parks |
| Joseph Monzo III | Emanuel Mercado |
| William Dameshek | Mark Dixon |
| Mary Ann Revis | Joseph Phillips |
| Richard Cerzosimo | Stephan Dixon |
| Sterling Johnson | Caitlin Ambose |
| Kedar Dockery | Jeffrey Cohn |
| Joshua Zorzi | Ryan Watson |
| Timothy Renick | Suzanna Wilson |
| Carmen Santiago | Todd Orme |
| Thomas Procopio | Mallory Iacovelli |
| Krystal Bates | Daniel Opperman |
| Michael Vargas 3 rd | Carlos Velez |
| Daniel Estrada | |
| Lynda Romero | |
| Mallory Iacovelli | |
| Maria Furino | |

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 132-14 A RESOLUTION APPOINTING NANCY BRUNINI AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE BOROUGH OF BUENA EFFECTIVE SEPTEMBER 14, 2014 AND EXPIRING SEPTEMBER 13, 2019 m/Cugini s/McAvaddy

WHEREAS, on September 13, 2014, the appointment of Nancy Brunini 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 Nancy Brunini 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 Nancy Brunini be and she is hereby appointed as a Commissioner of the Housing Authority of the Borough of Buena for a term of five years, commencing September 14, 2014 and expiring September 13, 2019.

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	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

PUBLIC SAFETY DIRECTOR'S REPORT:

Director Caregnato disseminated the Police itinerary to Council Members for review.

ADMINISTRATORS'S REPORT:

The Administrator reported that the tankless water heater has been installed in the Borough's Municipal Building.

SOLICITOR'S REPORT:

Solicitor Tonetta gave an update on the Zorzi property to date.

ENGINEER'S REPORT:

Kimberly Lane Storm Drain Pipe

The contractor has completed a large portion of the punchlist. Paving repairs were recently completed on Forest Grove Road

FY2013 NJDOT Municipal Aid Project – Reconstruction of Flower Street

The plans and specifications have been submitted to the NJDOT for review.

FY2014 NJDOT Municipal Aid Application – Reconstruction of Flower Street

The Borough received \$180,000.00 in Municipal Aid funding. The Borough will request the NJDOT to combine the FY2013 and FY2014 allocations to allow the project to be constructed as one contract.

Louis Drive Drainage

Our office is currently evaluating alternatives to address the drainage issue.

Resurfacing of Forsythe Street

This project been incorporated into the bid for Flower Street.

Microsurfacing of Various Streets

The Borough has issued a purchase order to the State contract vendor for microsurfacing to microsurface the following streets:

Johns Avenue - Central Avenue to Willow Street

Willow Street (North) - North Boulevard to Forest Grove Road

COMMITTEE REPORTS:

RECYCLING: (COUNCILMAN MAROLDA)

Councilman Marolda announced he is participating in the ALS Ocean City Walk on September 20, 2014. It was also reported that Councilman Marolda is assisting with policies and procedures of Streets/Roads and Landuse for environmental purposes.

STREETS/ROADS: (COUNCILMAN JAMES)

Councilman James reported an evaluation of Louise Drive is in process.

FINANCE: (COUNCILWOMAN BAKER)

Councilwoman Baker reported that all Borough departments need to be in compliance with the budget.

RECREATION: (COUNCILMAN ZAPPARIELLO)

UPCOMING EVENTS-

October 12th Friendship Church - Macaroni Dinner at the Landisville Volunteer Fire Company between 12:00 p.m. and 5:00 p.m.

October 25th Halloween - Trick of Treat from 2:00 p.m. to 4:00 p.m.

October 25th Borough of Buena - National Night Out

PUBLIC SAFETY/STREET LIGHTS: (COUNCILMAN CUGINI) none

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY)

Councilman McAvaddy gave an update on properties in the Borough.

PUBLIC PORTION OF MEETING:

Brian Fatcher of Kimberly Lane was present to follow up with signs to be posted on Kimberly Lane. Bill Nimohay, Road Supervisor explained the procedure for placing signs in the Borough.

Bill Coltri of Forest Grove Road expressed his concerns with drainage on Weymouth Road.

CLERK'S REPORT:

Minutes of the regular meeting of July 14, 2014 were approved m/Zappariello s/McAvaddy

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES			X	
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

Minutes of the regular meeting of August 11, 2014 were approved m/Marolda s/Zappariello

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY			X	

CORRESPONDENCE: none

UNFINISHED BUSINESS: none

NEW BUSINESS: none

BILLS PAID AS LISTED: m/McAvaddy s/Marolda

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES	X			
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

NEXT MEETING: September 22, 2014

MEETING ADJOURNED: m/James s/Cugini RCVU

GAIL KNOTT, DEPUTY CLERK

