

**BOROUGH OF BUENA**  
**REGULAR COUNCIL MEETING MINUTES**  
**MAY 27, 2014**  
**MEETING CALLED TO ORDER: 7:00 P.M.**  
**MEETING ADJOURNED 7:35 P.M.**

The regular meeting of Mayor and Council of the Borough of Buena was held Tuesday, May 27, 2014 commencing at 7:00 p.m. at the Borough Hall with Council President Santagata presiding. The Council President 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, Baker, Santagata, Zappariello and Cugini, Dr. Paul Trivellini, Administrator, Richard P. Tonetta, Solicitor and Maryann Coraluzzo, Borough Clerk

**ABSENT:** Mayor Baruffi and Councilman McAvaddy

**MAYOR'S REPORT:**

**RESOLUTION 68-14 RESOLUTION SUPPORTING ASSEMBLY BILL A-1021 AND SENATE BILL S-268 REQUIRING DIRECT PAYMENT OF ENERGY TAXES TO MUNICIPAL GOVERNMENT**  
**m/Baker s/Cugini**

**WHEREAS**, taxes on gas and electric utilities were originally collected by the host municipalities, and when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; and

**WHEREAS**, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

**WHEREAS**, for years, though, State officials have diverted funding from Energy Taxes to plug holes in the State budget and to fund State programs; and

**WHEREAS**, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

**WHEREAS**, municipalities lost \$331 million in combined Energy Tax and Consolidated Municipal Property Tax Relief Aid (CMPTRA) funding in Fiscal Years 2009, 2010, and 2011, while also being denied scheduled incremental funding; and

**WHEREAS**, as a result of these cuts, in a number of municipalities property taxes are higher now, despite the fact that they are spending less, proving that the State's diversion of tax relief funding has contributed to higher municipal property taxes; and

**WHEREAS**, A-1021 would restore the \$331 million in municipal property tax relief funding, ensure that each municipality will be restored to the 2007 (SFY 2008) Energy Tax Receipts/CMPTRA level and adjust that amount to account for inflation.; and

**WHEREAS**, the bills would require certain energy tax receipts to be paid directly to municipalities and, thereby, would assure local property taxpayers compensation for hosting transmission facilities and lines that allow gas and electric energy corporations to serve customers and conduct business in our Garden State; and

**WHEREAS**, the time has come to restore to local budgets the millions in property tax relief that have been annually diverted to meet State needs; now therefore be it

**RESOLVED**, that the Council of the Borough of Buena salutes the sponsors for listening to the Mayors in their districts and all around New Jersey and for advancing this legislation; and be it further

**RESOLVED**, that we enthusiastically support and urge our State Legislators to pass A-1021/S-268; and be it finally

**RESOLVED**, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Vincent Prieto, New Jersey Assembly Republican Leader Jon Bramnick Senator Jim Whelan, our Assemblyman Chris Brown and and to the New Jersey League of Municipalities.

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

**RESOLUTION 71-14      A RESOLUTION AUTHORIZING EXCLUSION OF THE PUBLIC FROM A MEETING BETWEEN THE MAYOR AND BOROUGH COUNCIL, THE BOROUGH CLERK, BOROUGH ADMINISTRATOR AND THE BOROUGH SOLICITOR CONCERNING ACQUISITION OF BLOCK 113, LOT 10.02, AND AUTHORIZING DISCLOSURE OF MINUTES OF SAID MEETING AS PROVIDED HEREIN.  
m/Baker s/Zappariello**

**WHEREAS**, N.J.S.A. 10:4-12, Open Public Meetings Act, permits the exclusion of the public from the meeting of a public body where the subject matter of that meeting involves pending or anticipated litigation and contract negotiations in which the public body is or may become a party;

**WHEREAS**, the Council of the Borough of Buena desires to meet with the Borough Clerk and Staff and the Borough's Solicitor, concerning acquisition of Block 113, Lot 10.02 of the Borough of Buena.

**NOW, THEREFORE**, BE IT RESOLVED by the Council of the Borough of Buena that:

1. The public shall be excluded from a meeting of the Mayor and Council of the Borough of Buena on Tuesday, May 27, 2014, at 616 Central Avenue, Buena, New Jersey, immediately following the regular scheduled Council Meeting.
2. The general nature of the subject matter of the closed meeting shall pertain to acquisition of Block 113, Lot 10.02 of the Borough of Buena.
3. Disclosure of the minutes of the closed meeting authorized above between the Council of the Borough of Buena, the Borough Clerk and Borough Solicitor shall be made following a final decision and determination of said matter which is estimated to be 120 days.
4. The Clerk at the present public meeting shall read the title of said Resolution aloud so that members of the public in attendance can understand as precisely as possible the nature of the matter that will privately be discussed.



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

**ADMINISTRATORS' S REPORT:**

1. Computer System-We are currently installing products that will effectuate a better backup of information
2. Employees-We need to continue our cross training of employees to provide better service to the public.
3. Civil Service-Many of our Civil Service records were incomplete and/or outdated. I am pleased to report that much of this has been corrected.
4. Ambulances-We are out to bid on the re-chassis of both of our ambulances.
5. Police Vehicles-We sold three aged police vehicles at a recent auction, as well as an old pickup truck. We will order two SUVs when we receive approval to spend from our bonding attorney. We will consider the car, in budget, later in the year.
6. Policy Manual-Our current manual is currently being revised.
7. USDA-RD Grant Progress-We have ordered the roof for over the rear entrance, used in large part for MUA customers in an attempt to reduce the amount of rain and snow carried into the building creating slippery floors. We have also ordered the hydraulic lifting of the concrete sidewalks around the Borough Hall to eliminate trip hazards that currently exist. The next project to be handled by this grant is the replacement of the existing water heater with a tankless unit and insulation of the hot water pipes. This will greatly reduce our gas consumption. Closed circuit television recording for the hallways of the administrative side of the building will follow closely, as well as upgrades to the fire detection system.
8. Park-To better serve our citizens and make us eligible for grants in the future, we need to upgrade our park. Bill Nimohay and his trusty sidekicks have poured the foundations for the relocation of the play set from the Spanish Center to near the location of the previous play set. Disassembly has also begun and the unit will be reinstalled in the next two weeks. After the Borough leaf and branch collection, the play set will be relocated from Millville.
9. Acquired properties-The Borough has come into possession of a number of properties. I am recommending that we ascertain those that should be retained for future Borough use; those that should be sold to be attached to neighboring properties (substandard parcels); and those that should be sold for their intended zoned use. Pam Johnston is currently researching these properties. When this is complete, we will be ascertaining the final disposition of each. Revenues from the sale of any of these properties will help defray the costs of legal settlements due next year.
10. Records Retention-For the most part this is well handled. We need to create a dedicated area for police records, remove land use records from the safe, and replace the cardboard files in the safe with high quality lateral files. We have a plan that will allow for better utilization of current space. Maryann Coraluzzo can provide guidance to the other departments as we store necessary records and get permission to dispose of those that are unneeded.
11. Generator-Although not covered by any current funding source, the diesel generator in the utility room of the Borough Hall should be replaced with a natural gas-fired external generator. The old unit is insufficient and was installed when the building was constructed. It can only power emergency lighting and minimal services. Further, we

store diesel fuel in a tank within the building, not the best situation. Triad Associates is preparing an application to the USDA for replacement of this unit. If successful, side benefits will be increased building energy efficiency and additional storage for building maintenance and custodial.

**PUBLIC SAFETY DIRECTOR'S REPORT:**

Director Caregnato reported that the police department participated in the Wellness Fair held at Cleary School.

**SOLICITOR'S REPORT:** none

**COMMITTEE REPORTS:**

**RECYCLING: (COUNCILMAN MAROLDA)** none

**FINANCE: (COUNCILWOMAN BAKER)**

Councilwoman Baker reported on the resignation of Tania Del Valle, commenting that we are losing a valued employee.

**STREETS/ROADS: (COUNCILMAN SANTAGATA)**

m/Baker s/Zappariello authorizing South Jersey Gas to open the road at 111 South Laurel Street.

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

**RECREATION: (COUNCILMAN ZAPPARIELLO)**

Councilman Zappariello gave a list of upcoming events.

**PUBLIC SAFETY/STREET LIGHTS: (COUNCILMAN CUGINI)** none

**BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY)** none

**PUBLIC PORTION OF THE MEETING:**

Bill Coltri of Forest Grove Road asked for clarification on the use of the Zorzi property once acquired.

Jim Baals of Kimberly Lane was present to express his concerns with the work done on Forest Grove Road and Kimberly Lane. Mr. Baals stated that he has an elderly neighbor and is fearful of a trip and fall. Mr. Baals further stated that he is unhappy with the oversight provided by Remington, Vernick and Walberg Engineers and recommended withholding payment to the firm.

**CLERK'S REPORT:**

Minutes of the regular meeting of May 12, 2014 were approved. m/Baker s/Marolda

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

Minutes of the executive session of April 28, 2014 were approved. m/Cugini s/Baker

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

**CORRESPONDENCE:**

1. Italian cultural foundation of South Jersey, Inc. request for Raffle License No. RA04-2014 on December 4, 2014.  
m/Cugini s/Baker

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

Correspondence filed m/Baker s/Cugini

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

**UNFINISHED BUSINESS:** none

**NEW BUSINESS:** none

**BILLS PAID AS LISTED:** m/Baker s/Marolda with the addition of PO No. 14-00246 in the amount of \$1,087.74.

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

**NEXT MEETING: June 9, 2014**

Council President Santagata recessed the meeting to retire into executive session. The Council President called the meeting back to order and roll call remained the same.

**RESOLUTION 73-14      A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING  
THE CONDEMNATION OF BLOCK 113, LOT 10.02, ALSO  
KNOWN AS 530 FOREST GROVE ROAD.  
m/Cugini s/Baker**

**WHEREAS**, the Borough Council recognizes that there are certain properties within its bounds which are prone to flooding causing the improvements thereon to become uninhabitable, dangerous and a blight to the neighborhood; and

**WHEREAS**, one such property is located at 530 Forest Grove Road, Block 113, Lot 10.02 (the "Property"); and

**WHEREAS**, the Borough Council has adopted Resolution 135-12 A Resolution authorizing the execution of a pre-application and application for New Jersey Community Development Block Grant District Recovery Program funding for the acquisition and demolition of improvements located at Block 113, Lot 10.02; and

**WHEREAS**, the Property was/is the subject of a foreclosure action and, therefore, Bank of America as mortgagee is an interested party and has been contacted regarding acquisition of Block 113, Lot 10.02; and

**WHEREAS**, after numerous attempts to negotiate the acquisition of the Property, it became apparent that Bank of America was not willing to discuss acquisition leaving no alternative but acquisition through condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that the Borough Solicitor is authorized to commence Condemnation Proceedings for the acquisition of Block 113, Lot 10.02.

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

**MEETING ADJOURNED:** m/Cugini s/Baker RCVU

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MARYANN CORALUZZO, BOROUGH CLERK