

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 1

MEETING CALLED TO ORDER: 6:30 P.M.

MEETING ADJOURNED: 7:49 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, April 23, 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 McAvaddy, Richard Tonetta, Solicitor and Jill McCrea, Administrator, Auditor Mike Garcia and 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 Zappariello called for a Moment of Silence for Mike Alvarez, brother of Councilman Jorge Alvarez, who passed away.

PUBLIC PORTION OF MEETING:

Brian Fatcher of Kimberly Lane questioned street sweeping on County roads. Mayor Zappariello will follow up with the road supervisor.

MAYOR'S REPORT:

PUBLIC HEARING: 2018 MUNICIPAL BUDGET

**PUBLIC HEARING OPENED:
m/Baker s/Mancuso**

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

**BOROUGH OF BUENA
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APRIL 23, 2018**

DISCUSSION:

Auditor Garcia gave an overview of the formulation of the budget.

PUBLIC HEARING CLOSED:

m/Baker s/Mancuso

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

**RESOLUTION 48A-18 RESOLUTION TO AMEND BUDGET
Resolution pulled from Agenda**

WHEREAS, the local municipal budget for the year 2018 was approved on the 26th day of March, 2018 and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Buena, County of Atlantic that the following amendments to the approved budget of 2018 be made:

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

**RESOLUTION 49-18 A RESOLUTION OF THE BOROUGH OF BUENA PLACING LIENS ON
PROPERTY FOR FAILURE TO MAINTAIN PROPERTY IN ACCORDANCE
WITH ORDINANCE 642
m/Baker s/McAvaddy**

WHEREAS, the Borough of Buena established legal right to clear and lien unkempt properties in accordance with Ordinance 642; and

WHEREAS, Buena Borough has identified a property or properties that have not been maintained over a period of time; and

WHEREAS, Buena Borough has noticed property owners of record following

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 3

all established procedures; and

WHEREAS, the property or properties listed have been cleared by the Borough of Buena and charges established for time and equipment per Ordinance 642;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the properties attached to this Resolution shall have a lien for lot clearance, similar to a tax lien, placed upon them upon passage of this resolution

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

**RESOLUTION 50-18 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GENERAL CODE FOR SUPPLEMENTATION SERVICES IN AN AMOUNT NOT TO EXCEED \$5,390.00.
m/Baker s/Marolda**

WHEREAS, General Code submitted a quote for the updating of the 2014 Code, Land Use Legislation and related services attached hereto; and

WHEREAS, Chief Financial Officer has certified there are funds available.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the Mayor is hereby authorized to execute an agreement with General Code for the supplementation services outlined in the project plan attached hereto, in an amount not to exceed \$5,390.00.

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

**RESOLUTION 51-18 BOROUGH OF BUENA
2018-2 EMERGENCY TEMPORARY BUDGET
m/Baker s/Mancuso**

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 4

WHEREAS, an emergent condition has arisen with respect to providing appropriation for expenditures and no adequate provision has been made in the 2018 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40A:4-20) including this resolution total \$2,089,901.00:

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for the attached list of line items.
2. That said emergency temporary appropriations will be provided for in 2018 municipal budget as adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

2018

General Government:

Municipal Clerk's Office	
Salary & Wages	\$ 5,000.00
Governing Body	
Salary & Wages	\$ 2,000.00
Finance Office	
Salary & Wages	\$ 6,000.00
Computer Operations	
Other Expenses	\$ 1,000.00
Tax Assessor	
Other Expenses	\$ 1,000.00
Audit Contract Services	
Other Expenses	\$ 7,500.00
Administrator	
Salary & Wages	\$ 5,000.00
Legal Services	
Other Expenses	\$ 5,000.00
Engineer	
Other Expenses	\$ 5,000.00
Land Use Board	
Other Expenses	\$ 4,000.00
Zoning Officer	
Salary & Wages	\$ 1,000.00

Insurance:

General Insurance JIF/MEL	\$30,000.00
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Public Safety:

EMS	
Other Expenses	\$ 9,000.00

Health & Welfare:

Animal Control	
Other Expenses	\$ 3,000.00

Occupancy	
Salary & Wages	\$ 1,000.00

Trash	
Other Expenses	\$50,000.00

Uniform Construction Code:

Construction	
Salary & Wages	\$ 5,000.00

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 5

	Other Expenses	\$ 1,000.00
Unclassified:		
Utility Expenses:		
	Gas Heat/Heating Fuel	\$ 6,000.00
	Electric	\$12,000.00
	Telephone	\$ 6,000.00
	Street Lighting	\$20,000.00
Inter Local Services Agreements:		
	Franklin Twp. Court	\$20,000.00

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

RESOLUTION 52-18 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE EXCLUSION OF THE PUBLIC FROM A MEETING BETWEEN THE MAYOR, BOROUGH COUNCIL, BOROUGH CLERK AND STAFF, BUSINESS ADMINISTRATOR AND STAFF, BOROUGH SOLICITOR AND STAFF, AND TIFFANY CUVIELLO CONCERNING MATTERS REGARDING PENDING OR ANTICIPATED LITIGATION IN WHICH THE PUBLIC BODY IS OR MAY BECOME A PARTY AND AUTHORIZING THE DISCLOSURE OF MINUTES OF SAID MEETING AS PROVIDED HEREIN
m/Baker s/Mancuso

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

WHEREAS, the Borough Council desires to meet with the Mayor, Borough Clerk and staff, Business Administrator and staff, Borough Solicitor and staff and Tiffany CuvIELLO concerning (COAH Litigation)

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 Council of the Borough of Buena, on April 23, 2018 in the Council Chambers during a recess of the regular session of Borough Council.
2. The general nature of the subject matter of the closed meeting shall pertain to pending or anticipated litigation in which the public body is or may become a party, as set forth hereinabove.
3. Disclosure of the minutes of the closed meeting authorized above between the Borough Council, the Mayor, Borough Clerk and staff, Business Administrator and staff, Borough Solicitor and staff and Tiffany CuvIELLO shall be made public following a final decision and determination of said matter excepting information which must remain private.
4. It is anticipated that the minutes of the deliberation conducted in closed session may be disclosed to the public within 180 days, however, any personal confidential information may not be released.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 6

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

**RESOLUTION 53-18 RESOLUTION OF THE COUNCIL OF THE BOROUGH OF BUENA
AUTHORIZING THE FILING OF AN APPLICATION FOR USDA
RURAL DEVELOPMENT FUNDING UNDER THE RURAL BUSINESS
DEVELOPMENT GRANT PROGRAM FOR AN ECONOMIC DEVELOPMENT
PLAN.**

m/Baker s/Mancuso

WHEREAS, Buena Borough continues to seek, identify and provide opportunities for residents to pursue and obtain meaningful employment; and,

WHEREAS, that several key properties throughout the Borough have remained vacant for a period of time; and

WHEREAS, Buena Borough wishes to explore the development opportunities of these vacant and underutilized properties in order to encourage new businesses and job creation; and,

WHEREAS, the Borough of Buena desires to apply to the US Department of Agriculture Rural Development for funding under the Rural Business Development Program to fund an Economic Development Plan to study several key sites;

NOW, THEREFORE, BE IT RESOLVED, that funding for an Economic Development study is hereby in all respects approved; and,

BE IT FURTHER RESOLVED, that the Mayor or his designee and Council are hereby authorized to execute all documents associated with the Application for USDA Rural Development funding through the Rural Business Development Program for the Economic Development Plan.

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

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 7

RESOLUTION 54-18 A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE ENGINEER TO ADVERTISE FOR BIDS TO BE RECEIVED FOR FY2016 NJDOT MUNICIPAL AID PROJECT-RESURFACING OF FOREST GROVE ROAD.
m/Baker s/Marolda

BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the Engineer is authorized to advertise for bids for the resurfacing of Forest Grove Road in the Borough of Buena.

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

ADMINISTRATORS' S REPORT:

Administrator McCrea gave the following report:

1. I met with PW Director Bill Nimohay and Borough Engineer Bob Smith about landfill closure and clearing. I spoke with Ed Wengrowski of the Pinelands Commission about what we need to do to proceed. We can't get permission to close landfill without clearing it and can't lease the area (to someone who can clear and then continue to receive and process our organic material) until we have permission to close. The first step is to test receptors. Mr. Smith is connecting a licensed site remediation professional from his company with a representative from the Pinelands Commission so we can start testing. This can be paid for from Tonnage Grant or even possibly funds from the DEP. The ultimate goal after closure would be to lease the site to be used as a Class B recycling facility. We are currently in the process of restricting access to limited Saturday hours to avoid more accumulation from commercial and out of town dumpers. If we are able to officially close the landfill, our DEP permit fees will be reduced. They are \$11k annually.
2. I have directed Bob and Bill to develop a list or "loosely based projections" for roads to be included in a Capital Program in years to come. This is not an extensive study.
3. We are following new hiring procedures and testing for new hires as prescribed by our Policy and Procedures Handbook that was adopted last summer. The new EMS hires are currently going through finger printing, driving background checks, and drug screening. I recommend all current EMS employees go through the same screening. Fingerprinting is \$40 and drug screening is \$75 = \$115 person. We pay JIF \$150 annually for all driving checks. It is my recommendation that we do annual driving screens for employees who drive Boro noncommercial vehicles. Valerie is our JIF person. She conducts the checks. Diane in the finance department has experience writing policies for commercial and noncommercial drivers with regards to drug and alcohol testing. She has written drafts for the Borough that I am reviewing. I will follow up when complete for adoption. Diane can also do the employee training required.
4. New job applications are on file in the Clerk's office. They are modeled from JIF and include section for applicants to agree and sign off on testing.
5. Commerce Center lease renewal – looking over with Maryann. Will get feedback from Council and put on for next meeting.
6. I spoke with our billing company. They are doing 3 notices as we required. If we would like to take the next step and send out of borough residents to collections after multiple attempts, we can add Quality Asset Recovery to

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 8

our contract. They charge 27% of what they collect. Collection rate is very low, but we don't have any upfront fees.

7. Assembly Bill 1425/Senate Bill 3233 was signed into law on January 15, 2018. The law modifies the requirements for furnishing performance and maintenance guarantees under Municipal Land Use Law and modifies current limitations on collection of inspection fees. We need to refer this matter to Land Use Board for them to adopt changes.
8. Minotola Fire Company is no longer interested in our QPA services, but they are committed to contributing to dispatch services next year. I will follow up in December. They adopt their budget in February.
9. Two Gloucester County towns considering police mergers.
10. Title for the Bakery has yet to be filed with the County. Therefore, we are unable to send violation notices to the owner. We will continue to monitor.

SOLICITOR'S REPORT:

Solicitor Tonetta reported that a cash match may be needed to obtain funding for the USDA grant.

COMMITTEE REPORTS:

ROADS/RECYCLING: (COUNCILMAN MAROLDA)

Councilman Marolda provided those present with the road department itinerary.

ECONOMIC DEVELOPMENT: (COUNCILMAN WALKER) no report

RECREATION: (COUNCILWOMAN BAKER)

Council President Baker reported that Buena Baseball/Softball Association Opening Day was very successful. The day began with a great parade and was followed by an introduction of teams and coaches. It was very memorable.

The Landisville Volunteer Fire Company annual breakfast was excellent and very well attended.

The Route 54/40 Shuttle had 1,017 passengers during the month of March. This is an average of 59 passengers per day.

Upcoming events:

- May 6, 2018: Historic Friendship Church will be celebrating its 210th Anniversary with services at 3:00 p.m.
- May 28, 2018: Memorial Day Services will be held at the American Legion Post 270 at 9:00 a.m. followed by services at the V.F.W. Post on Route 40.

FINANCE: (COUNCILMAN MANCUSO) no report

PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN ALVAREZ) no report

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY)

Councilman McAvaddy reported that six violation notices were sent out. In addition, there is one new rental registration.

CORRESPONDENCE:

Our Lady of Blessed Sacrament request for Raffle License RA03-2018 (Basket) and RA04-2018 (50/50) was approved m/Baker s/Mancuso.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 9

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

Correspondence filed m/Baker s/Mancuso

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

CLERK'S REPORT:

Minutes of the workshop meeting of April 9, 2018 were tabled due to lack of quorum.

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

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 10

Minutes of the regular meeting of April 9, 2018 were tabled due to lack of quorum.

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

Minutes of the executive session of April 9, 2018 were tabled due to lack of quorum.

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

Minutes of the executive session of April 9, 2018 were tabled due to lack of quorum.

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

UNFINISHED BUSINESS: none

NEW BUSINESS: none

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
APRIL 23, 2018**

PAGE 11

BILLS PAID AS LISTED: m/Baker s/Mancuso

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

**NEXT MEETING: May 14, 2018- Workshop 6:00 p.m.
Regular 6:30 p.m.**

Mayor Zappariello recessed the meeting to retire into executive session.

Mayor Zappariello called the meeting back to order at 7:48 p.m. and roll call vote remained the same.

Solicitor Tonetta reported that the executive session contained a discussion of COAH litigation and no action will be taken on the matter.

MEETING ADJOURNED: m/Baker s/Mancuso

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

**MARYANN CORALUZZO
BOROUGH CLERK**