

BOROUGH OF BUENA
 AGENDA
 FEBRUARY 25, 2019
 PAGE 1

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

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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

SUNSHINE LAW: This meeting is 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 December 19, 2018, as well as having been posted on the bulletin board at Borough Hall.

MAYOR'S REPORT: First order of business.

PUBLIC PORTION OF THE MEETING:
 Anyone wishing to address Mayor and Council only, please step forward and give your name and address for the record.

DISCUSSION: POLICE DEPARTMENT FLOOR ESTIMATES

NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:

ORDINANCE NO. 674 "AN ORDINANCE CREATING A PERMIT REQUIREMENT TO OPERATE A CRANE"
 M _____ S _____

WHEREAS, the Borough of Buena recognizes that a consistent policy is necessary concerning the operation of cranes within the Borough of Buena which helps to preserve safety and prevent damage to personal property and real estate of residential properties located in the Borough of Buena; and

WHEREAS, there exists the need to create a standard by which crane operators are governed in the Borough of Buena; and

WHEREAS, the licensing of crane operators is a matter of public safety; and

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WHEREAS, active cranes in the Borough of Buena operate in a dense urban environment, often in close proximity to residential units, office spaces, and pedestrians, thus underscoring the need for professional crane operators who adhere to the highest standards of safety; and

WHEREAS, the Borough of Buena wishes to enact legislation which will govern registration of cranes and use of cranes in the Borough of Buena.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Buena, in the County of Atlantic, and State of New Jersey, as follows:

The Code of the Borough of Buena is hereby amended and supplemented with a new Chapter entitled "Crane Regulations", which Chapter shall read as follows:

1. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

"Board" means the Crane Operators License Advisory Board established pursuant to N.J.S.A. 45:26-3.

"Certification" means certification from the National Commission for the Certification of Crane Operators or any other organization found by the Board to offer an equivalent testing and certification program meeting the requirements of the American Society of Mechanical Engineers ASME B30.5 and the accreditation requirements of the National Commission for Certifying Agencies.

"Commissioner" means the Commissioner of Labor.

"Crane" As used in this ordinance, the term "Crane" shall be defined in accordance with N.J.S.A. 45:26-1 through 45:26-17 (Licensure of Crane Operators Act), hereafter referred to as the Crane Operator Licensure Act and the 1926 OSHA Crane and Derricks in Construction also known as OSHA Subpart CC.

"Crane operator" means an individual engaged in the operation of a crane.

"Crane related experience" means operating, inspecting, training and maintenance experience acceptable to the board.

"Practical examination" means an examination demonstrating the applicant's ability to safely operate a particular category or type of crane. Practical examinations shall be conducted for the following crane categories: the lattice boom crawler cranes (LBC) lattice boom truck cranes (LBT), telescopic boom cranes (TLL, Swing Cab) & (TSS, Fixed Cab), Tower cranes and Overhead cranes.

2. General Requirements.

- a. Five (5) days before any crane operator, contractor or other person

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or company initiates the use of a crane within the Borough of Buena, a permit shall be obtained. In emergent situations, the building inspector may waive this requirement in his or her own discretion if the operator meets the balance of the requirements of this Ordinance.

- b. The permit will be maintained with the Borough of Buena as well as with the crane operator at all times; a copy of the permit shall be produced on the work site when requested.
- c. The following documents must be provided to the Borough of Buena in order to be granted a permit:
 1. Copy of crane operator certificate from one of the following organizations:
 - a. National Commission for the Certification of Crane Operators (NCCCO);
 - b. Operating Engineers Certification Program (OECF); or
 - c. Crane Institute of America Certification.
 2. New Jersey Crane License.
 3. Current Medical Examiner's Card.
 4. A copy of the most recent and current proof of inspection for the crane being operated (Crane owner).
 5. Insurance required as follows:
 - a. Bodily Injury:
 - i. For any one (1) person in the amount of \$500,000.00;
 - ii. For any occurrence in the amount of \$1,000,000.00;
 - b. Property Damage:
 - i. For any one (1) accident in the amount of \$500,000.00;
 - ii. For any aggregate of occurrences in the amount of 2,000,000.00.
 6. Proof that the Crane Operator submits to a random drug testing program.
 7. Proof of Completion of Signal Person Qualification or Certification course.
- d. Upon receipt of a properly completed application and compliance with the requirements of this Section, the building department shall issue or deny the requested permit within five (5) business days. If the application is denied the reasons for the denial are furnished to the applicant in writing.

3. Crane Operator Licensing.

- a. Licensure of crane operators, pursuant to N. J. S. A. 45:26-7. No person shall engage in the operation of a crane, offer himself or herself for employment as a crane operator or otherwise act, attempt to act, present or represent himself as a crane operator unless licensed as such under the provisions of this act.
- b. A crane operator's license shall be valid only in conjunction with a current certification and only in the specialty or specialties for which the crane operator is certified. The specialties are lattice boom crawler crane (LBC), lattice boom truck crane (LBT), telescopic boom cranes (TLL, Swing Cab) & (TSS, Fixed Cab), tower cranes and overhead cranes.
- c. To be eligible for a license as a crane operator in the Borough of

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Buena, an applicant shall fulfill each of the following requirements:

- a. Be at least 18 years of age.
- b. Receive certification from the National Commission for the Certification of Crane Operators or any other organization found by the board to offer an equivalent testing and certification program meeting the requirements of the American Society of Mechanical Engineers ASME B30.5 and the accreditation requirements of the National Commission for Certifying Agencies.
- c. Have at least 1,000 hours of crane-related experience.
- d. Maintain a current medical examiner's certification card.

4. Notification of accident or safety issue- Required.

The owner of the property shall immediately notify the Borough of Buena of every accident causing personal injury or damage to property involving a construction crane covered by this chapter and shall afford the municipal official every facility for investigating such accident. When an accident involves the failure, breakage, damage or destruction of any part of the apparatus, it shall be unlawful to use such device until after an examination by the Borough of Buena is made and approval of the equipment for continued use is granted. It shall be the duty of the Borough of Buena to make a prompt examination into the cause of the accident and to enter a full and complete report thereof in the records of the Borough of Buena. Such records shall be open for public inspection during regular business hours.

5. Safety equipment- Required.

- a. All crane equipment shall be kept in safe working condition at all times by the owner and licensee.
- b. If any safety or operational aid used or required to be used in connection with the operation of a crane is not working properly, the person operating such crane shall immediately shut down the crane until such time that the required safety or operational aid is repaired or replaced and the crane is restored to proper working order.
- c. Any and all safety requirements promulgated by the Board, Commissioner, or Borough of Buena must be adhered to at all times.
- d. Every crane shall be thoroughly inspected by a competent designated employee or authorized agent of the owner or lessee of such mobile crane, tower crane or derrick at intervals not exceeding one month. Such inspection shall include, but not be limited to, all blocks, shackles, sheaves, wire rope, connectors, and various devices on the master boom, controls and braking mechanisms.
- e. A written, dated, and signed record of each such inspection shall be completed by the competent designated employee or authorized agent who made the inspection. The most recent record of such inspection shall be posted inside the cab of such crane and shall be filed with the Borough of Buena. Attached to such record of inspection shall be a written designation naming the competent employee or authorized agent. Such attached designation shall be signed by the owner or lessee of said crane.

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- f. Every crane shall be inspected before being erected or operated for the first time on any job.
- g. Adjustments and repairs to cranes shall be made only by competent designated persons.

6. Administration; enforcement.

- a. The Municipal Council may promulgate rules and regulations for the administration of the provisions of this Article.
- b. The provisions of this article shall be enforced by the Code Enforcement department.

7. Unsafe cranes

- a. Any crane which is or hereafter becomes unsafe or otherwise dangerous to human life or public safety, or which demonstrates inadequate maintenance shall be deemed to be in an unsafe condition by the Municipal Engineer. All unsafe cranes shall be taken down or removed or made safe, as the Municipal Engineer deems necessary and as provided for in this section.
- b. The Municipal Engineer shall cause a report to be filed on an unsafe crane. The report shall state the nature of the unsafe condition.
- c. If an unsafe condition is found, the Municipal Engineer or municipal agent shall serve on the owner, agent or person in control of the crane, a written notice that describes the condition being unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition. Such notice shall require the person thus notified to declare immediately to the Municipal Engineer or municipal agent exceptions or rejection of the terms of the written notice.
- d. Such written notice shall be deemed properly served if a copy is delivered to the owner personally, or sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If a certified or registered letter is returned showing that the written order has not been delivered, a copy shall be posted in a conspicuous place in or on the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the crane shall constitute service of notice upon the owner.
- e. The equipment determined to be unsafe by the Municipal Engineer or municipal agent may be restored to a safe condition. To the extent that repairs, alterations or additions are made during restoration of such equipment, such repairs, alterations or additions shall comply with all applicable codes.
- f. Any person who refuses or neglects to comply with the requirements of notice to abate an unsafe condition shall be subject to a fine in accordance with Section 9.

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8. Violations; penalties.

- a. Any person who operates a crane without meeting the requirements of this ordinance or any rule or regulation promulgated thereunder shall be subject to a fine of not less than \$1,000.00 and no more than \$10,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.
- b. Any person or company who employs an unlicensed person as a crane operator or who permits or directs an unlicensed person to operate a crane shall be subject to a fine of not less than \$2,000.00 nor more than \$20,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

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

NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:

ORDINANCE NO. 675 AN ORDINANCE AMENDING CHAPTER 99, ARTICLE 1, SECTIONS 1 AND 2 OF THE ORDINANCES OF THE BOROUGH OF BUENA AND AUTHORIZING THE ENFORCEMENT OF ANIMAL RELATED STATUTES AND ORDINANCES AND INITIAL INVESTIGATION OF ANIMAL CRUELTY BY SHORE ANIMAL CONTROL SERVICES AND DESIGNATING SHORE ANIMAL CONTROL SERVICES AS THE CERTIFIED ANIMAL CONTROL OFFICER AND TO SERVE

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**CONCURRENTLY AS THE MUNICIPAL HUMANE LAW ENFORCEMENT
OFFICER FOR THE BOROUGH OF BUENA**

M _____ S _____

WHEREAS, the Mayor and Council of the Borough of Buena wishes to ensure a safe environment for all residents of the Borough of Buena and its visitors; and

WHEREAS, the Mayor and Council of the Borough of Buena supports the humane treatment of animals and recognizes the need for enforcement of laws regarding same; and

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Buena, County of Atlantic, State of New Jersey that SHORE ANIMAL CONTROL SERVICES shall be authorized to investigate and sign complaints alleging violations of animal cruelty law and arrest violators, and otherwise act as an officer with respect to people who violate the ordinances in the Borough of Buena and statutes of the State of New Jersey regarding animal cruelty; and

BE IT FURTHER ORDAINED, that SHORE ANIMAL CONTROL SERVICES shall be designated as the CERTIFIED ANIMAL CONTROL OFFICER and to serve concurrently as the MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER, pursuant to N.J.S.A.4:19-15.16(b) , as amended, which statute becomes effective on February 1, 2019: and

BE IT FURTHER ORDAINED, that **CHAPTER 99, ARTICLE 1 SECTIONS 1 AND 2** of the Ordinances of the Borough of Buena shall be amended as follows:

**CHAPTER 99-1- CERTIFIED ANIMAL CONTROL OFFICER AND
MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER: TERMS: OBLIGATIONS.**

There is hereby created within the Borough of Buena the position of CERTIFIED ANIMAL CONTROL OFFICER and the position of MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER which positions may be concurrent. The Mayor of the Borough shall appoint a CERTIFIED ANIMAL CONTROL OFFICER and a MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER, each for a term of one year with the advice and consent of Council, or the Council may award a contract for the services. The person or agency appointed as the CERTIFIED ANIMAL CONTROL OFFICER is hereby authorized to license dogs and other animals and the MUNICIPAL LAW ENFORCEMENT OFFICER is hereby authorized to investigate and sign complaints alleging violations of animal cruelty law and arrest violators, and otherwise act as an officer, with respect to people who violate State laws and municipal ordinances regarding animal cruelty.

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CHAPTER 99-2. DEFINITIONS.

CERTIFIED ANIMAL CONTROL OFFICER

Any person or agency certified by the State of New Jersey as defined pursuant to N.J.S.A. 4:19-15.16, as amended.

MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER

Any person or agency certified by the State of New Jersey as defined pursuant to

N.J.S.A. 4: 19-15.16, as amended.

BE IT FURTHER ORDAINED that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect or impair any other section, sentence, clause, provision or portion of this Ordinance, which shall remain in full force and effect and for the purpose of the provisions of this Ordinance, are hereby declared to be severable; and

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon its final passage, adoption and publication as provided by law, and shall remain in force until modified, amended or rescinded by the Mayor and Council of the Borough of Buena.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
MAROLDA					
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ALVAREZ					
MCAVADDY					

**RESOLUTION 28-19 A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND AN OVERPAYMENT TO GATEWAY MORTGAGE IN THE AMOUNT OF \$5,411.20.
M S**

WHEREAS, Block 166 Lot 9 is owned by Jose Fernandez; and

WHEREAS, an added assessment error caused a duplicated property tax amount to be erroneously billed to this property; and

WHEREAS, the County Board of Taxation issued a Memorandum of Judgment correcting this error.

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NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Tax Collector is hereby authorized to refund the amount of \$5,411.20 to Gateway Mortgage on behalf of Jose Fernandez.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
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MCAVADDY					

RESOLUTION 29-19 A RESOLUTION AMENDING RESOLUTION 25-19 AUTHORIZING THE CFO TO REFUND A PERMIT FEE, IN THE AMOUNT OF \$423.00, TO CHRISTINE FERRUCCI AND ISSUING THE CORRECTED REFUND AMOUNT OF \$375.00.

M _____ S _____

WHEREAS, Christine Ferrucci of 558 Piney Hollow Road applied for a permit for the installation of an inground pool; and

WHEREAS, Ms. Ferrucci sent a letter to Valerie Jones, Permits and Inspections Secretary, informing her that she will not be moving forward with the installation of the pool; and

WHEREAS, Ms. Ferrucci has requested the permit fees be refunded.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Chief Financial Officer is hereby authorized to refund the amount of \$375.00, which is the \$423.00 minus the \$48.00 non-refundable DCA fees to Christine Ferrucci as requested.

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MCAVADDY					

RESOLUTION 30-19 BOROUGH OF BUENA, COUNTY OF ATLANTIC GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE

M _____ S _____

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law

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enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough of Buena Council of the Borough of Buena, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Drug Committee; and,

WHEREAS, the Borough of Buena Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Buena has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Atlantic;

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Buena, County of Atlantic, State of New Jersey hereby recognizes the following:

1. The Borough of Buena Council does hereby authorize submission of a Strategic plan for the BVT/Buena Borough/Weymouth Twp. Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR	\$26,189.00
Cash Match	\$ 6,547.00
In Kind	\$19,642.00

2. The Borough of Buena Council acknowledges the terms for administering the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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RESOLUTION 31-19 A RESOLUTION AUTHORIZING THE BOROUGH OF BUENA TO ENTER INTO A CONTRACT WITH ELECTRON SERVICES FOR ELECTRICAL REPAIR AND MAINTENANCE COMMENCING FEBRUARY 11, 2019 AND EXPIRING FEBRUARY 10, 2021.

M _____ S _____

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA that a contract is hereby awarded to Electron Services, Inc. for the furnishing of electrical repair and maintenance services in the Borough of Buena

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized

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to execute an agreement with Electron Services for the purpose of furnishing electrical repair and maintenance services.

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RESOLUTION 32-19 A RESOLUTION AUTHORIZING THE BOROUGH OF BUENA TO ENTER INTO A CONTRACT WITH FALASCA MECHANICAL, INC FOR MECHANICAL AND PLUMBING REPAIR AND MAINTENANCE COMMENCING FEBRUARY 11, 2019 AND EXPIRING FEBRUARY 10, 2021.

M _____ S _____

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA that a contract is hereby awarded to Falasca Mechanical, Inc. for the furnishing of mechanical and plumbing repair and maintenance services in the Borough of Buena

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute an agreement with Falasca Mechanical, Inc. for the purpose of furnishing mechanical and plumbing repair and maintenance services.

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RESOLUTION 33-19 RESOLUTION APPOINTING MARYANN CORALUZZO AS THE ADDITIONAL CONTACT PERSON FOR THE EMPLOYMENT PRACTICES LIABILITY ATTORNEY CONSULTATION SERVICE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

M _____ S _____

WHEREAS, the Governing Body of the Borough of Buena hereinafter referred to as "MUNICIPALITY", is a member of the Atlantic County Municipal Joint

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Insurance Fund, hereinafter referred to as "FUND"; and

WHEREAS, the FUND has adopted a policy authorizing the Employment Practices Liability Attorney Consultation Service; and

WHEREAS, the FUND has budgeted an annual allowance per member for EPL consulting services and;

WHEREAS, the FUND requires the MUNICIPALITY to designate specific managerial or supervisory individuals who will have telephone access to the EPL Hotline.

NOW THEREFORE, be it resolved that the governing body of the Borough of Buena does hereby appoint Maryann Coraluzzo as its additional Contact Person.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
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**RESOLUTION 34-19 A RESOLUTION APPOINTING MATTHEW CARCHIDI AS A FULL-TIME STREETS AND ROADS LABORER 1 IN THE BOROUGH OF BUENA ROAD DEPARTMENT RETROACTIVE TO JANUARY 28, 2019.
M _____ S _____**

BE IT RESOLVED by the Council of the Borough of Buena that Matthew Carchidi is hereby appointed to the position of full-time Laborer 1 in the Borough of Buena Road Department.

BE IT FURTHER RESOLVED that the hourly rate shall be \$16.00 per hour.

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**RESOLUTION 35-19 RESOLUTION TO AMEND TRANSFER APPROPRIATION BALANCES
 TRANSFER RESOLUTION #6
 M _____ S _____**

Whereas, N.J.S. 40A:4-58 permitting the transfer to appropriate balances where needed for purposes specified in the budget in an amount in excess of the sum appropriated therefore from an appropriation balance deemed to be in excess of the amount necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made in the Borough of Buena Budget:

TRANSFER FROM

Public Buildings & Grounds O/E \$3,277.00

TOTAL TRANSFER \$3,277.00

TRANSFER TO

Engineer O/E \$3,277.00

TOTAL TRANSFER \$3,277.00

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**RESOLUTION 36-19 RESOLUTION TO AMEND TRANSFER APPROPRIATION BALANCES
 TRANSFER RESOLUTION #5A
 M _____ S _____**

Whereas, N.J.S. 40A:4-58 permitting the transfer to appropriate balances where needed for purposes specified in the budget in an amount in excess of the sum appropriated therefore from an appropriation balance deemed to be in excess of the amount necessary to fulfill the purpose of such appropriation.

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NOW, THEREFORE, BE IT RESOLVED that the following transfers be made in the Borough of Buena Budget:

TRANSFER FROM

Group Health Insurance	\$20,000.00
Streets & Roads S/W	\$15,087.76

TOTAL TRANSFER	<u>\$35,087.76</u>
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TRANSFER TO

Engineer O/E	\$ 1,000.00
Grant Administration O/E	\$ 1,000.00
PERS	\$ 33,087.76

TOTAL TRANSFER	<u>\$35,087.76</u>
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ALVAREZ					
MCAVADDY					

RESOLUTION 37-19 A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND A PERMIT FEE, IN THE AMOUNT OF 248.00, TO TRINITY SOLAR AND AIR, INC.

M _____ S _____

WHEREAS, Trinity Solar and Air, Inc., of Wall, NJ applied for a permit for the installation of solar on 110 Coari Avenue; and

WHEREAS, Trinity Solar and Air, Inc., sent a letter to Valerie Jones, Permits and Inspections Secretary, informing her that the company will not be moving forward with the installation of the solar; and

WHEREAS, Trinity Solar and Air, Inc., has requested the permit fee, \$248.00, be refunded.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Chief Financial Officer is hereby authorized to refund the amount of \$248.00 to Trinity Solar and Air, Inc., as requested.

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ALVAREZ					
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**RESOLUTION 38-19 RESOLUTION AUTHORIZING REFUND OF ESCROW ACCOUNT
BALANCE TO CASELLI AND CASELLI DEVELOPMENT COMPANY,
LLC. FOR BLOCK 201, LOTS 32 AND 39
M _____ S _____**

WHEREAS, A Development Escrow Account was established for site plan approval for final Phases 2 and 3 and for a Bulk and Variance approval on Harding Highway, Block 201, Lot 32 and 39 in the Borough of Buena; and

WHEREAS, The Borough has received a request by the Land Use Board secretary dated 2/19/19 recommending release of escrow funds; and

WHEREAS, the Borough Engineer also recommends the release of escrow funds; and

WHEREAS, the aforesaid Development was never started and the site has been sold and there remains an escrow balance in the amount of \$4,620.75 in the aforesaid account; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Buena that the remaining balance in the Escrow Account for the Project at Block 201, Lots 32 and 39 is hereby authorized for refund to Caselli and Caselli Development Corporation, LLC. and the closure of the aforesaid Account.

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MCAVADDY					

RESOLUTION 39-19 RESOLUTION TO AMEND TRANSFER APPROPRIATION BALANCES

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**TRANSFER RESOLUTION #7
M _____ S _____**

Whereas, N.J.S. 40A:4-58 permitting the transfer to appropriate balances where needed for purposes specified in the budget in an amount in excess of the sum appropriated therefore from an appropriation balance deemed to be in excess of the amount necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made in the Borough of Buena Budget:

TRANSFER FROM

Legal O/E \$2,617.00

TOTAL TRANSFER \$2,617.00

TRANSFER TO

Engineer O/E \$2,617.00

TOTAL TRANSFER \$2,617.00

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BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

**RESOLUTION 40-19 BOROUGH OF BUENA
2019 EMERGENCY TEMPORARY BUDGET
M _____ S _____**

WHEREAS, an emergent condition has arisen with respect to providing appropriation for expenditures and no adequate provision has been made in the 2019 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 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40A:4-20) including this resolution total \$746,494.00:

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 2019 municipal budget as adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

BOROUGH OF BUENA
 AGENDA
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	<u>2019</u>
General Government:	
Municipal Clerk's Office	
Other Expenses	\$ 5,000.00
Governing Body	
Salary & Wages	\$ 1,000.00
Other Expenses	\$ 1,000.00
Finance Office	
Other Expenses	\$ 3,000.00
Computer Operations	
Other Expenses	\$ 4,000.00
Audit Contract Services	
Other Expenses	\$ 10,000.00
Tax Assessor	
Other Expenses	\$ 1,000.00
Tax Collector	
Other Expenses	\$ 1,000.00
Engineer	
Other Expenses	\$ 10,000.00
Public Buildings & Grounds	
Other Expenses	\$ 10,000.00
Public Safety:	
Emergency Management	
Other Expenses	\$ 500.00
EMS	
Salary & Wages	\$ 65,000.00
Other Expenses	\$ 10,000.00
Streets & Roads:	
Road Repair & Maintenance	
Salary & Wages	\$ 70,000.00
Other Expenses	\$ 20,000.00
Trash & Other Expenses	
Other Expenses	\$ 40,000.00
Health & Welfare:	
Animal Control	
Other Expenses	\$ 2,000.00
Uniform Construction Code:	
Fire Inspector	
Salary & Wages	\$ 3,000.00
Building Inspector	
Salary & Wages	\$ 2,000.00
Unclassified:	
Utility Expenses:	
Gas Heat/Heating Fuel	\$ 5,000.00
Statutory Expenditures:	
PERS	\$109,144.00
PFRS	\$121,850.00
Inter Local Services Agreements:	
Gloucester County 911	\$ 35,000.00
Franklin Twp. Police	\$197,000.00
Franklin Twp. Court	\$ 20,000.00

**BOROUGH OF BUENA
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	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
MAROLDA					
WALKER					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

**RESOLUTION 41-19 BOROUGH OF BUENA
OFFICIAL DEPOSITORY/AUTHORIZED SIGNATURES
M _____ S _____**

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 2019 are as follows:

David Zappariello, Mayor, Rosalie Baker, Council President, Cynthia LoGuidice, Diane Bassetti, Maryann Coraluzzo, Valerie Jones, Pamela Johnston and Fern Brown 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 | Landfill Escrow Closure |
| Tax Collection | Tax Title Lien |
| Tax Title Lien Prem | Construction Code |
| Occupancy | |

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

**BOROUGH OF BUENA
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SOLICITOR'S REPORT:

Animal Control Ordinance-preparation of same.

Madison Estates-Receipt of letter from Bond Counsel dated January 31, 2019 and discretion with same.

ENGINEER'S REPORT:

Replacement of the Plymouth Street Culverts

The project is complete with the exception of the surface course paving. Surface course paving will be completed in the Spring.

FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street

The contractor has completed the storm drainage work. Concrete work is also complete. Paving will be completed in the Spring.

FY2016 NJDOT Municipal Aid Project - Resurfacing of Forest Grove Road

The contractor has replaced the existing HDPE cross drains with ductile iron. Paving will be completed in the Spring.

FY2018 NJDOT Municipal Aid Project - Reconstruction of Forest Grove Road

Design is nearly complete. Our office will be submitting the final plans and specs to the NJDOT for authorization to advertise for bids.

FY2019 NJDOT Municipal Aid Application - Reconstruction of South Boulevard

Our office prepared and submitted the application. We are awaiting a decision from the NJDOT on funding.

Buena Borough Landfill

Our office is working with The Pinelands Commission to obtain approval to close the landfill.

Liberty Village

We are working with the Developer's Engineer to address outstanding plan related issues. The contractor has installed the sanitary sewer main, a section of water main and some of the storm drain.

Expansion of the Commerce Center Redevelopment Area

Our office has begun work on this project.

COMMITTEE REPORTS:

ROADS/RECYCLING..... CHAIRMAN JEFFREY MAROLDA
JOSEPH MANCUSO, GREG MCAVADDY

ECONOMIC DEVELOPMENT.....CHAIRMAN MATTHEW WALKER
JOSEPH MANCUSO, ROSALIE M. BAKER

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RECREATIONCHAIRWOMAN ROSALIE M. BAKER, JORGE ALVAREZ, MATTHEW WALKER

FINANCE.....CHAIRMAN JOSEPH MANCUSO, ROSALIE M. BAKER, MATTHEW WALKER

PUBLIC SAFETY/STREET LIGHTS.....CHAIRMAN JORGE ALVAREZ, GREG MCAVADDY, JEFFREY MAROLDA

BLDGS/GROUNDS/IMPROVEMENTS.....CHAIRMAN GREG MCAVADDY, MATTHEW WALKER, JORGE ALVAREZ

CLERK'S REPORT:

Minutes of the regular meeting of December 10, 2018. If no corrections or additions, entertain a motion to approve M_____S_____

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

CLERK'S REPORT:

Minutes of the reorganization meeting of January 22, 2019. If no corrections or additions, entertain a motion to approve M_____S_____

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

CORRESPONDENCE:

1. WAWA Associates requesting placement of temporary trailer at 731 Harding Highway from March 25 through April 30, 2019.

M_____S_____

**BOROUGH OF BUENA
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	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
MAROLDA					
WALKER					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

BILLS PAID AS LISTED: M _____ S _____

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

NEXT MEETING: MARCH 11, 2019- WORKSHOP ONLY- 7:00 P.M.

Meeting adjourned: M _____ S _____ All in favor? Any opposed?