

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
AGENDA
JUNE 12, 2017**

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:
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 November 17, 2016, 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.

PRESENTATION: BB&T BANK

NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:

**ORDINANCE NO. 650 AN ORDINANCE TO ESTABLISH THE BOROUGH OF BUENA GREEN TEAM AS A PERMANENT ADVISORY COMMITTEE
M _____ S _____**

"Interpretive Statement"

This Ordinance will establish the Borough of Buena Green Team as a permanent advisory committee.

WHEREAS, the Mayor's Committee for a Green Future of the New Jersey League of Municipalities has promulgated and published a municipal certification program and organization called "Sustainable New Jersey" ("Sustainable Jersey"); and

WHEREAS, the purpose of Sustainable Jersey is to enlist municipalities in a concerted and organized state-wide effort to improve the environment and promote sustainability; and

WHEREAS, the Mayor and Council of the Borough of Buena initially

created the Green Team pursuant to Resolution No. 52-14; and

WHEREAS, the Mayor and Council of the Borough of Buena now wishes to establish the Green Team as a permanent advisory committee of the Borough of Buena.

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

1. ESTABLISHMENT

The Borough of Buena Green Team be and is hereby established as an advisory committee for the Mayor and Council of the Borough of Buena

2. PURPOSE

The general purposes for the Green Team shall include but not be limited to:

- a. Managing Buena Borough's participation in the Sustainable Jersey Program.
- b. Encouraging the Borough staff to pursue sustainable practices where possible and implement the Borough Council's environmental goals.
- c. At the recommendation of the Borough Council, work with existing groups within the Borough whose actions effect environmental issues so as to eliminate duplication and assure that important tasks are covered.
- d. Coordinate input and provide management for the Borough's website.
- e. Provide suggestions for further research and action to the Borough Council.
- f. At the direction of the Borough Council, provide advice and suggestions to the Borough Land Use Board to assure that environmental issues are considered in their deliberations and actions.
- g. Manage and organize various ad hoc environmental groups within the Borough.
- h. Solicit and evaluate environmental ideas and suggestions from the community.
- i. Promote the causes of sustainability within the Borough.

3. MEMBERSHIP, TERM OF OFFICE

The Mayor and Council of the Borough of Buena shall appoint seven (7) Borough residents to serve as the Green Team who will serve without compensation. The Green Team shall elect from among its members a Chair, Vice Chair and Secretary/Treasurer. Initially,

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three (3) members shall be appointed to a three (3) year term, two (2) members to a two (2) year term and two (2) members to a one (1) year term. Thereafter, all terms shall be for three (3) years.

The Green Team shall select Borough volunteers to work on Green Team projects. The names of the Green Team volunteers shall periodically be submitted to the Borough of Buena Mayor and Council and the Green Team Committee reports, minutes, etc., shall also be submitted to the Mayor and Council.

4. MEETINGS

The Green Team shall meet monthly.

Additional meetings of the Green Team may be scheduled by the Chair at his/her discretion.

5. SEVERABILITY

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

6. REPEAL OF PRIOR ORDINANCES

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

7. EFFECTIVE DATE

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

	AYE:	NAY:	ABSTAIN:	ABSENT:
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NEED MOTION TO OPEN THE PUBLIC HEARING ON:

**ORDINANCE NO. 651 AN ORDINANCE AMENDING THE OFFICIAL BYLAWS OF THE
 COUNCIL OF THE BOROUGH OF BUENA
 M _____ S _____**

WHEREAS, the Council of the Borough of Buena has determined there is a need to have work sessions to discuss present and future business of the Borough prior to any matter being brought forward for official action by the Governing Body to assure transparency and efficiency; and

WHEREAS, the Bylaws of the Governing Body do not have a requirement for work sessions and therefore must be amended.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Buena, that the official Bylaws of the Governing Body shall be amended as follows:

The following Section shall be added to ARTICLE V Meetings:

Section 12. A Council work session shall be held 30 minutes prior to the first regular council meeting of each month. The Council work session shall be open to the public and duly advertised in the same manner as the regular council meeting. No formal vote on any matter shall be brought at the work session. All appropriate appointed and management officials shall be invites as needed to discuss matters coming before Council.

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

DISCUSSION:

PUBLIC HEARING CLOSED:

M _____ S _____

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
MANCUSO				
ALVAREZ				
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ORDINANCE NO. 651 ADOPTED:

M _____ S _____

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

RESOLUTION 81-17 RESOLUTION TO CLOSE THE CLERK'S ACCOUNT

M _____ S _____

WHEREAS, the Borough of Buena no longer has a use for Clerk's Account; and

WHEREAS, there remains balances in the Clerk's Account;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the Clerk's account be closed; with the balance posted as Miscellaneous Revenues Not Anticipated in revenue in the Current Account for the 2017 budget.

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

**RESOLUTION 82-17 RESOLUTION OF SUPPORT FOR SUSTAINABLE OPEN SPACE,
 FARMLAND, HISTORIC PRESERVATION AND STEWARDSHIP
 FUNDING FOR NEW JERSEY**

M _____ S _____

Whereas New Jersey's population demands an ample water supply provided by adequate open space to support our quality of life; and

Whereas, Open Space in the form of parkland, family farms, historic and cultural sites, recreational areas and natural watershed areas is vital to our economy, planned growth, protection of property values, water quality, and safety and urban, suburban and rural quality of life; and

Whereas, continued, plentiful and sustained funding is vital to a

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strategic Open Space program to bolster and enhance private, municipal, county, other state and federal Open Space funding programs; and

Whereas provisions for stewardship to properly care for parks, preserved lands, and historic sites is an important component of Open Space efforts; and

Whereas, New Jersey's Payment In Lieu of Taxes program (PILOT) should be restored to full funding because it encourages municipalities to host state and non-profit preserved open space;

Now therefore be it resolved that the Borough of Buena supports sustainable, continuing funding for Open Space in New Jersey.

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

**RESOLUTION 83-17 TO AMEND ADOPTED BUDGET (CHAPTER 159)
SPECIAL ITEMS OF REVENUE AND APPROPRIATIONS
(N.J.S.A. 40A: 4-87)
M _____ S _____**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Buena, County of Atlantic, has been awarded \$11,627.10 from the State of New Jersey Department of Treasury Clean Communities Account Fund

NOW, THEREFORE, BE IT RESOLVED that the council of the Borough of Buena, County of Atlantic, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2017 in the sum of \$11,627.10 which is now available as revenue as follows:

Clean Communities Grant: \$11,627.10

BE IT FURTHER RESOLVED that a like sum of \$11,627.10 and the same is hereby appropriated under the caption of:

Clean Communities Grant: \$11,627.10

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BE IT FURTHER RESOLVED that the Chief Financial Officer will forward one copy of this resolution to the Director of the Local Government Services.

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

PERSONNEL:

**RESOLUTION 80-17 A RESOLUTION RE-APPOINTING LYNN HOBAN AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE BOROUGH OF BUENA EFFECTIVE JUNE 13, 2017 AND EXPIRING JUNE 12, 2022.
M _____ S _____**

WHEREAS, on June 13, 2017, the appointment of Lynn Hoban 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 Lynn Hoban 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 Lynn Hoban 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 June 13, 2017 and expiring June 12, 2022.

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:
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**RESOLUTION 84-17 A RESOLUTION OF THE BOROUGH OF BUENA COUNCIL
AUTHORIZING PAYMENT OF A SETTLEMENT BY AND BETWEEN THE
BOROUGH OF BUENA AND JUSTIN SEIDEL IN ACCORDANCE WITH
THE TERMS OF A RELEASE EXECUTED BY JUSTIN SEIDEL DATED
MAY 31, 2017.
M _____ S _____**

WHEREAS, a lawsuit was instituted by Borough Patrolman, Justin Seidel, seeking back pay and statutory attorney's fees in the amount of \$17,500.00 pursuant to the Fair Labor Standards Act, relating to accrued overtime alleged to be due and owing; and

WHEREAS, the Borough of Buena determined and asserted that it had, in good faith, mistakenly failed to make such overtime payment; and

WHEREAS, the lawsuit has been settled for a total payment of \$14,500.00, from which overtime and attorney's fees are to be paid; and

WHEREAS, it is the belief and determination of Mayor and Council that the subject settlement with a release of all claims, discontinuing and dismissing all further court proceedings, is in the best interests of the Borough of Buena and should be approved;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA as follows:

1. The statements of the preamble are incorporated herein by this reference;
2. The Mayor of the Borough of Buena be and he is hereby authorized to execute on behalf of the Borough of Buena any and all documents that may be necessary to effectuate the subject settlement and the Borough Finance Officer is authorized to issue payments in accordance with the Release executed by Justin Seidel on May 31, 2017, copy of which is attached hereto.

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

ENGINEER' S REPORT

FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street

We received the permit for the culvert replacement from the NJDEP. A permit application must be submitted to The Pinelands Commission. We are awaiting a signed application and application fee from the County.

A contract for the resurfacing project was awarded to Arawak Paving Company, Inc. at the May 8, 2017 Borough Council Meeting. A Payment Voucher is now available from the NJDOT for the initial reimbursement.

Melini Park Senior Recreation Facility – CDBG Project

Our office is finalizing the bid documents for submission to the ACIA for review and authorization to advertise for bid.

Kimberly Lane Speed Study

The report is being finalized and will be submitted to Borough Council.

Master Plan Re-Examination

Our office is currently working on our initial planning review.

Resurfacing of Forest Grove Road

The Borough received \$196,000.00 in FY2016 NJDOT funding for the resurfacing of Forest Grove Road. The Borough did not receive FY2017 funding. A contract utilizing the FY2016 funds must be awarded by some time in November to avoid jeopardizing the funding. The Clerk's Office should review a copy of the grant agreement to determine the award deadline. Our office had previously submitted a proposal for this project.

SOLICITOR' S REPORT:

COMMITTEE REPORTS:

- ROADS/RECYCLING..... CHAIRMAN JEFFREY MAROLDA
JOSEPH MANCUSO, GREG MCAVADDY
- ECONOMIC DEVELOPMENT.....CHAIRMAN MATTHEW WALKER
JOSEPH MANCUSO, ROSALIE M. BAKER
- 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 special meeting of May 17, 2017. If no corrections or additions, entertain a motion to approve M _____ S _____

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Minutes of the regular meeting of May 22, 2017. If no corrections or additions, entertain a motion to approve M_____S_____

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

UNFINISHED BUSINESS:

NEW BUSINESS:

BILLS PAID AS LISTED: M_____S_____

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
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BAKER				
MANCUSO				
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NEXT MEETING: June 26, 2017

MEETING ADJOURNED: M _____ S _____

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