

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
MAY 22, 2017**

MEETING CALLED TO ORDER: 6:34 P.M.

MEETING ADJOURNED: 7:18 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, May 22, 2017 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 17, 2016, as well as having been posted on the bulletin board at Borough Hall.

PRESENT: Councilpersons Marolda, Walker, Baker, Mancuso, Alvarez and McAvaddy, Richard Tonetta, Solicitor 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			

PUBLIC PORTION OF MEETING:

Brian Grasso of Wheat Road, former member of the Buena Police Department and father to a current full time officer was present to convey his feelings over the closure of the police department. Mr. Grasso stated that his father was instrumental in the original formation of our current police department and is hopeful the Council will take suggestions and consider alternatives to shuttering. Mr. Grasso is of the opinion that the City of Vineland will be a better solution should the department have to merge.

Brian Fatcher of Kimberly Lane is of the opinion that the speed study is complete. Mr. Fatcher stated that an email from Senator Van Drew's Offices requesting an update on the status was not answered by the solicitor. Although Solicitor Tonetta stated he did not read the email, he is of the opinion that certain criteria must be met prior to lowering the speed limit.

Michael Feaster of Central Avenue was present regarding flooding on Central Avenue. Mayor Zappariello stated he is actively looking for options to this problem.

Nicole Horan was also present to discuss flooding on Summer Road. Mayor Zappariello stated Road Supervisor Nimohay has been out on leave but will follow up upon his return.

Bill Dalessandro of D'Alessandro Avenue was present regarding the misspelling and absence of street signs on the above road. Councilman Mancuso has been in contact with Road Supervisor Nimohay regarding this matter. Mr. Nimohay will review our maps and take any necessary steps to rectify the situation. Councilman Mancuso stated that if there is an error on the tax map, an ordinance must be adopted prior to making any changes. Mr. Dalessandro also noted that the street is not being maintained. Councilman Marolda spoke

with Mr. Nimohay who has put the road on rotation.

MAYOR'S REPORT:

**PROCLAMATION: EMIL "SPEED" DANDREA
IN HONOR AND APPRECIATION
COMMUNITY SERVICE RECOGNITION**

WHEREAS, it is the intention of Mayor Zappariello and Buena Borough Council Members to focus attention on noteworthy individuals; and

WHEREAS, tonight we wish to honor and thank Emil "Speed" Dandrea for his years of service to the Borough of Buena; and

WHEREAS, Emil "Speed" Dandrea was born on May 24, 1917; and

WHEREAS, his humble demeanor has warmed the hearts of many and his dedicated, unselfish service to his family and the residents of Buena Borough has been outstanding; and

WHEREAS, in recognition of his diligent endeavors, the Governing Body of the Borough of Buena wish to extend honor and heartfelt gratitude to Emil "Speed" Dandrea on his one hundredth birthday .

NOW, THEREFORE, BE IT PROCLAIMED that I, David Zappariello, by virtue of the authority vested in me as Mayor of the Borough of Buena, and ask all citizens to join with me and members of the Borough Council in thanking Emil "Speed" Dandrea for his dedicated service to the Borough of Buena and its residents for his role in making our community a better place to live, work and play, and in wishing him all the best as he enjoys his one hundredth birthday.

**NEED MOTION TO OPEN THE PUBLIC HEARING ON RESOLUTION 65-17 AMENDING BUDGET:
m/Baker s/Mancuso**

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2017 was approved on the 27th day of March, 2017 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 2017 be made:

Recorded Vote	(((
	((Abstained(
	Ayes(Nays((
	(((
	(((
	((Absent(
	(((

CURRENT FUND:

ANTICIPATED REVENUES:

	From	To
1. Surplus Anticipated	\$ 81,909.00	\$ 121,909.00
Total Surplus Anticipated	81,909.00	121,909.00
3. Miscellaneous Revenues -		
Section A: Local Revenues		
Vacant Property Registration Fees	-	7,000.00
Total Section A: Local Revenue	518,200.00	525,200.00
Section F: Special Items of General Revenue Anticipated		
With Prior Written Consent of Director of Local Government		
Services Public and Private Revenues Offset with Appropriations:		
Clean Communities Program	27,371.98	0.00
Atlantic County Joint Insurance Fund - Safety Award	1,000.00	1,900.00
Total Section F:	35,977.39	9,505.41

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5. Subtotal General Revenues	<u>1,355,658.39</u>	<u>1,376,186.41</u>
6. Amount to be Raised by Taxation for Support of Municipal Budget		
a) Local Tax for Municipal Purposes including Reserve for Uncollected Taxes	<u>2,919,494.24</u>	<u>2,951,103.25</u>
Total Amount to be Raised by Taxation for Support of Municipal Budget	2,919,494.24	2,951,103.25
7. Total General Revenues	<u>\$ 4,275,152.63</u>	<u>\$ 4,327,289.66</u>

APPROPRIATIONS:

8. General Appropriations:		
(A) Operations - Within "CAPS"		
Emergency Medical Services - Salaries & Wages	\$ 210,000.00	\$ 288,000.00
Total Operations within "CAPS"	<u>3,276,125.00</u>	<u>3,354,125.00</u>
H-1 Total General Appropriations for Municipal Purposes - Within "CAPS"	<u>3,599,726.00</u>	<u>3,677,726.00</u>
(A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Clean Communities Program	27,371.98	0.00
Atlantic County Joint Insurance Fund - Safety Award	<u>1,000.00</u>	<u>1,900.00</u>
Total Public and Private Programs Offset by Revenues	<u>39,567.42</u>	<u>13,095.44</u>
Total Operations Excluded from "CAPS"	<u>254,817.42</u>	<u>228,345.44</u>
L) Subtotal General Appropriations (Items (H-1) and (O))	<u>4,102,124.92</u>	<u>4,153,652.9</u>
M) Reserve for Uncollected Taxes	173,027.71	173,636.72
9. Total General Appropriations	<u>\$ 4,275,152.63</u>	<u>\$ 4,327,289.66</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this resolution be advertised in the Press of Atlantic City in the issue of April 28, 2017 and that said advertising include notice of a public hearing on the budget amendment to be held in Borough Hall on May 8, 2017 at 6:30 pm.

It is hereby certified that all additions and math in this amendment are correct.

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

DISCUSSION: none

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

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

**RESOLUTION 66-17 A RESOLUTION TO ADOPT 2017 MUNICIPAL BUDGET
m/Baker s/Mancuso**

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

**NEED MOTION TO OPEN THE PUBLIC HEARING ON:
(tabled)**

**ORDINANCE NO. 649 AN ORDINANCE AMENDING ORDINANCE 517
CHAPTER 82-9 OF THE CODE OF THE BOROUGH OF BUENA
ENTITLED REGISTRATION AND INSPECTION FEE
M _____ S _____**

WHEREAS, the Council of the Borough of Buena has determined that inspections of rental units in the Borough are necessary to assure rental housing meets the minimum standards for living quarters set forth in the Borough Code including the International Property Maintenance Code adopted by the Borough Council; and

WHEREAS, the cost of inspections, administration and related expenses have increased and Borough Council finds that such cost should not be a burden on the taxpayers but on the landlords renting such units; and

WHEREAS, the Borough Council finds it to be in the best interest of the residents of the Borough to increase the rental inspection fees to cover costs.

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

1. Section 82-9A shall be amended as follows; "Each rental unit shall be registered annually with the Borough Clerk on or before February 28 of each calendar year. Upon registration of each rental unit, the owner/applicant shall pay a registration fee of \$125.00 for each rental unit and includes one inspection."
2. Section 82-9B shall be amended as follows; "Prior to re-renting to a subsequent/new tenant of any rental unit, the owner/applicant shall pay a new inspection fee of \$125.00 per unit for the inspection subject to the annual increase commencing January 1, 2018."

BE IT FURTHER ORDAINED that any Ordinance or portion thereof that is inconsistent with the terms of this Ordinance shall be repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed void by a Court of competent jurisdiction, the balance hereof shall remain in full force and affect.

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

DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING:

M _____ S _____

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

ORDINANCE NO. 649 ADOPTED:

M _____ S _____

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

NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:

(tabled)

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, 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:
MAROLDA				
WALKER				
BAKER				
MANCUSO				
ALVAREZ				
MCAVADDY				

PERSONNEL:

**RESOLUTION 77-17 A RESOLUTION AUTHORIZING THE CLERK TO ADVERTISE FOR
THE POSITION OF FIRE PROTECTION SUBCODE OFFICIAL AND
PLUMBING SUBCODE OFFICIAL
m/Baker s/Mancuso**

WHEREAS, due to retirements and/or resignations, the Borough has the following vacancies:

- Fire Protection Sub-Code Official
- Plumbing Sub-Code Official

WHEREAS, the Council of the Borough of Buena desires to fill said vacancies.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the clerk is hereby authorized and directed to advertise for the positions of Fire Protection Sub-Code Official and Plumbing Sub-Code Official.

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

SOLICITOR'S REPORT:

Prior to bringing up three items from the floor, Solicitor Tonetta issued a cautionary statement to the Mayor and Council regarding this practice. The solicitor stated this not only places an undue burden on the clerk and deputy clerk, it also prohibits the public from receiving adequate notice on matters the governing body may discuss, consider or take action on.

INTRODUCED AND PASS ON FIRST READING:

**ORDINANCE NO. 651 AN ORDINANCE AMENDING THE OFFICIAL BYLAWS OF THE
COUNCIL OF THE BOROUGH OF BUENA
m/Mancuso s/Baker**

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	X			
WALKER	X			
BAKER	X			
MANCUSO	X			
ALVAREZ	X			
MCAVADDY	X			

**RESOLUTION 78-17 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, SUPPORTING THE EFFORTS OF THE COUNTY OF ATLANTIC, CHALLENGING THE CASINO PROPERTY TAX STABILIZATION AMENDMENT
m/Baker s/McAvaddy**

WHEREAS, The Casino Property Tax Stabilization Act (PILOT) was created in an effort to stabilize property taxes for casinos and avoid appeals of property assessments made on casinos; and

WHEREAS, the PILOT prohibit casinos from appealing their property tax assessments thereby lowering their tax obligation and resulting in further financial hardship to Atlantic City; and

WHEREAS, Atlantic City was to distribute 13.5%of the PILOT money it received from the casinos to Atlantic county which, in turn, would be shared by all Atlantic County municipalities; and

WHEREAS, in 2017, the State of New Jersey permitted Atlantic city to reduce its PILOT payments to 10.4% which is a reduction of approximately \$4,000,000.00 per year and \$40,000,000.00 over a ten year period; and

WHEREAS, the reduction to Atlantic County will require the county municipalities to make up the difference which will severely impact the taxpayers of the Borough of Buena, among the other municipalities in the County.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that they support the efforts of the County of Atlantic in challenging the constitutionality of the PILOT amendment reducing the payments due the County.

BE IT FURTHER RESOLVED that the Clerk is directed to forward a copy of this Resolution to the County of Atlantic Freeholders.

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

RESOLUTION 79-17 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, CONFIRMING THE RESCISSION OF THE PROVISIONAL APPOINTMENT OF LIEUTENANT TO THE BUENA BOROUGH POLICE DEPARTMENT m/Mancuso s/Alvarez

WHEREAS, Police Sergeant John Capehart was appointed to the position of Police Lieutenant provisionally in accordance with N.J.A.C 4A:1; and

WHEREAS, the Appointing Authority has determined that the provisional appointment is no longer in the best interest of the Borough; and

WHEREAS, the Council of the Borough of Buena concurs with the determination of the Appointing Authority.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the appointment of John Capehart to the position of provisional Lieutenant to the Buena Borough Police Department is hereby ratified and confirmed and the said John Capehart shall return to his permanent position of Police Sergeant of the Buena Borough Police Department effective immediately.

BE IT FURTHER RESOLVED that the Clerk is directed to forward a copy of this Resolution to the Civil Service Commission.

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

COMMITTEE REPORTS:

ROADS/RECYCLING: (COUNCILMAN MAROLDA)

With regard to the Kimberly Lane speed study, Councilman Marolda will be meeting with Engineer Smith to discuss the findings. In addition, the Councilman is taking measures to determine if additional parking is permitted on or about the area surrounding Park Drive.

Councilman Marolda reported the municipal parking lot has been relined and the Commerce Center will be relined in the near future.

ECONOMIC DEVELOPMENT: (COUNCILMAN WALKER)

Councilman Walker met with representatives from BB&T who has expressed interest in becoming involved in our community. A presentation will be given at the next meeting.

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Mayor Zappariello informed Councilman Walker that he will provide information on the Thrive Program.

RECREATION: (COUNCILWOMAN BAKER)

Council President Baker attended the Buena Municipal Alliance Meeting on May 9, 2017 where a discussion was held on drugs.

On Wednesday, May 10, 2018, the Buena Municipal Alliance Senior Picnic was held at Buena Regional High School. This was an intergenerational activity in conjunction with the National Helpers at the high school.

On Wednesday, May 17, 2017, Council President Baker attended the Buena Baseball Softball Association meeting. A sound system was installed for \$3,300.00. Labor was donated. Two scholarships each for \$250.00 will be given to a boy and a girl graduating from Buena Regional High School. The fence in the field will be installed for \$1,000.00. Closing ceremonies will be on Sunday, June 11, 2017 followed by a chicken barbeque. The next meeting will be held on June 15, 2017.

Upcoming Activities:

May 29th: Memorial Day Ceremonies beginning at 9:00 a.m. at the American Legion Post 270 and continuing to V.F.W. Memorial on Harding Highway. Refreshments will be served upon the conclusion of the event.

June 10th: Run for Ricky beginning at 10:00 a.m. on Friendship Road. BBQ Family Fund Day will be held at Michael Debbie Park. Donations are \$20.00 for adults, \$10.00 for students and \$15.00 for senior citizens. Children five and under are free.

June 11th: BBSA Chicken Barbeque from noon until 5:00 p.m. Donations are \$10.00 in advance and \$12.00 at the event.

June 11th: Our Lady of Blessed Sacrament Music Ministry will present Broadway Bound Dessert Theater at 2:00 p.m. at the Parish Center, 601 Central Avenue. Donations are \$5.00.

June 25th: Annual Italian Day Chicken BBQ from noon until 5:00 p.m. at the Bruno Melini Park. Donations are \$11.00.

FINANCE: (COUNCILMAN MANCUSO) no report

PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN ALVAREZ)

Councilman Alvarez reported on a current Civil Service List in which our current officer, Andy Vera, is ranked second. Sergeant Martinelli is assisting the Councilman with this matter.

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY) no report

CLERK'S REPORT:

Minutes of the special meeting of May 8, 2017 were approved m/Baker s/Alvarez

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

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Minutes of the regular meeting of May 8, 2017 were approved m/Baker s/Marolda

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

Minutes of the executive session of May 8, 2017 were approved m/Baker s/Alvarez

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

UNFINISHED BUSINESS: none

NEW BUSINESS: none

BILLS PAID AS LISTED: m/Baker s/Alvarez

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

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NEXT MEETING: June 12, 2017

MEETING ADJOURNED: m/Baker s/McAvaddy

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

**MARYANN CORALUZZO
BOROUGH CLERK**