

BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
May 8, 2017

MEETING CALLED TO ORDER: 6:43 P.M.

MEETING ADJOURNED: 7:40 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, May 8, 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, Baker, Alvarez and McAvaddy, Richard Tonetta, Solicitor and Brianna Pace, Deputy Clerk

ABSENT: Councilpersons Walker and Mancuso

ROLL CALL OF ATTENDANCE:

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

MAYOR'S REPORT: Mayor Zappariello attended an Atlantic County meeting with the other Mayors regarding the pilot program. Second, the Board of Education Meeting has a slight increase of about \$10.75 per month because they had a 1.3 million dollar budget gap. Lastly, Mayor Zappariello announced he received an email from Vineland at 5pm. He didn't have a chance to look at it but he will forward it to the Public Safety Committee. Also, he met with Franklin Township twice last week regarding police services and he asked them to submit a formal request.

PUBLIC PORTION OF MEETING:

Nicole Duran of 1070 West Summer Ave has a water issue on her property. Any rain we receive the water runs off the farm and floods her yard along with the soil. She stated she has damage every time it rains and has contacted the Department of Agriculture. They are waiting to hear back from the farmer and can't do anything until then. Bill Nimohay suggested another drain pipe. The county was going to look into the easements so he will follow up with them.

Brian Fatcher of Kimberly Lane stated water from behind Route 40 on the farm had muddy water down Central but the pipe was doing its job because Kimberly Lane was fine. Next, he asked about the recycling cans that were talked about in the past and Councilman Marolda advised they are waiting for the CBDG funding to see what's left. Lastly, he asked about the speed limit issue and using another company since the device didn't work twice. Bob Smith advised the third one would go out this week and they have concerns someone is altering the device.

Louis Bermudez of 204 Flower Street has an issue with too many cats in the neighborhood. He stated he is constantly calling animal control and that his neighbor is feeding them.

**PUBLIC HEARING ON RESOLUTION 65-17 AMENDING BUDGET:
m/Baker s/Alvarez**

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

APPROPRIATIONS:

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

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: Mike Garcia reported that five revenue items were adjusted. The tax increase will be 2.9 cents. There were four appropriations and the budget spends 2.4% more than last year.

Mayor Zappariello asked that Council push the decision to next meeting because it is extremely important and not all of Council is here. Mr. Tonetta

advised the public discussion will continue into next meeting if passed.

Table Public Discussion:

m/Baker s/Alvarez

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

PUBLIC HEARING CLOSED:

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

**RESOLUTION 66-17 A RESOLUTION TO ADOPT 2017 MUNICIPAL BUDGET
M _____ S _____**

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

NEED MOTION TO OPEN THE PUBLIC HEARING ON:

**ORDINANCE NO. 648 AN ORDINANCE AMENDING SECTION 218-11
OF THE CODE OF THE BOROUGH OF BUENA
ENTITLED VEHICLES AND TRAFFIC SO AS TO
PROVIDE FOR NO PARKING RESTRICTIONS
ALONG A PORTION OF PARK DRIVE
m/Baker s/Marolda**

WHEREAS, the Borough Engineer has evaluated the current on-street parking configuration along Park Drive and has provided an analysis of the parking problems for residents along Park Drive; and

WHEREAS, the Borough Engineer has determined that in accordance with the New Jersey Residential Site Improvement Standards (RSIS) that parallel parking along Park Drive can only be provided on one side of Park Drive and to improve access to the residential dwellings along the north side of Park Drive, parking must be limited to the South side and therefore parking should be prohibited on the North side of Park Drive from Central Avenue to a point 660 feet west of Central Avenue; and

WHEREAS, the Borough Council finds it to be in the best interest of the residents of the Borough to accept the recommendations of the Borough Engineer.

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

1. Section 218-11 shall be amended so as to prohibit existing on street parking along the north side of Park Drive from Central Avenue to a point 660 feet west of Central Avenue.
2. "No Parking" signs in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) shall be installed along the north side of Park Drive.

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.

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

DISCUSSION: Nothing

NEED MOTION TO CLOSE THE PUBLIC HEARING:
m/Baker s/Marolda

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

ORDINANCE NO. 648 ADOPTED:
m/Baker s/Marolda

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

RESOLUTION 67-17 RESOLUTION AWARDDING A QUOTE TO ANCERO PROVIDING FOR TELEPHONE EQUIPMENT AND SERVICES
m/Baker s/Alvarez

WHEREAS, in accordance with N.J.S.A. 41A:11-5(DD) the Borough of Buena received a quote for Telephone Systems and Phone Services for the Municipal Building, the EMS Building and Streets & Roads,

WHEREAS, Ancero responded for providing said equipment (including installation), and phone service quotes (totaled):

Ancero	\$1,803.00 one-time installation fee
1001 Briggs Road, Suite 220	\$ 769.94 monthly service charge
Mt. Laurel, New Jersey 08054	including VoIP

WHEREAS, this is a rental contract and shall be for 36-months. The equipment remains the property of Ancero; and

WHEREAS, the principal of the firm has confirmed price quotes remain in effect at least through the end of 2020 for telephone services and,

WHEREAS, the Chief Finance Officer certifies that the following funds are available in the attached certification of availability of funds,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena hereby authorizes to award the quote to Ancero in the amount not to exceed the certification of funds;

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

RESOLUTION 68-17 A RESOLUTION OF THE BOROUGH OF BUENA ESTABLISHING PROCEDURES OR PROPERTY CLEARANCE IN ACCORDANCE WITH ORDINANCE 642
m/Baker s/Alvarez

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

WHEREAS, Buena Borough needs to be clear and consistent with the enforcement of this ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that beginning May 1, 2017 the following procedures be followed before any lien be placed on a Block and Lot:

1. Identification of any violating property by complaint of citizen or employee observation;
2. Deficiencies will be recorded in writing or by photographic record;
3. Property owners of record will be noticed by regular and certified mail with ten days minimum to comply;
4. The "Order to Clear for Public Works" will be presented to the Public Works Supervisor;
5. The listed Block and Lot is cleared by Public Works and costs documented per Ordinance 642;
6. The Costs will be forwarded to the Clerk for Borough Council Action;
7. Upon Borough Council approval, charges should be added to the tax bill as an added assessment.

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

**RESOLUTION 64-17 RESOLUTON AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY
m/Baker s/Marolda**

WHEREAS, the Borough of Buena is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Council are desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA, in Minotola, New Jersey as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available in the Finance office.
2. The sale will be conducted online and the address of the auction site is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. The surplus property to be sold is attached.
5. The surplus property as identified shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough of Buena reserves the right to accept or reject any bid submitted.

Items to be sold:

Two, Freno Pro Flexx stretchers
One, Freno Stair-Chairs w/ tracks
11 longboards

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

AUDIT FINDING AND RECOMMENDATION:

Auditor's Finding #1:

An employee was overpaid for accumulated sick & Vacation time upon retirement. The employee had elected to use the time as time off but was also paid for the time. The amount involved was less than \$1,100.

Auditor's Recommendation:

Recommended that Accumulated Sick & Vacation time payments be properly calculated, authorized and paid.

Chief Financial Officer's Corrective Action Plan:

The overpayment resulted from a miscalculation. Future accumulated sick & vacation time payments will be properly calculated and authorized and paid.

RESOLUTION 70-17 A RESOLUTION ACCEPTING A CORRECTIVE ACTION PLAN TO ADDRESS RECOMMENDATIONS IN THE 2016 MUNICIPAL AUDIT m/Baker s/Alvarez

WHEREAS, the 2016 Annual Audit of the Borough of Buena, conducted by Ford, Scott and Associates LLC, contained certain recommendations requiring action; and

WHEREAS, these recommendations have been reviewed by the Borough's Chief Financial Officer; and

WHEREAS, the Chief Financial Officer, in accordance with the requirements promulgated by the N.J. Division of Local Government Services, has developed a plan to address the recommendations listed by the auditors;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Buena Borough that the Corrective Action Plan for the 2016 Annual Municipal Audit, hereto attached, is hereby approved and accepted; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to transmit a certified copy of this resolution and its attachments to the Division of Local Government Services.

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

RESOLUTION 71-17 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT m/Baker s/Marolda

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to

N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the *Borough of Buena*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

**RESOLUTION 74-17 A RESOLUTION OF THE BOROUGH OF BUENA AWARDDING A CONTRACT FOR FY2015 NJDOT MUNICIPAL AID PROJECT FOR THE RECONSTRUCTION OF PLYMOUTH ROAD TO ARAWAK PAVING CO., INC. IN THE AMOUNT OF \$148,700.00
m/Baker s/Marolda**

WHEREAS, Plymouth Road is in disrepair; and

WHEREAS, Engineer has sought bids for said services and has recommended the contract be awarded to Arawak Paving Co., Inc. in the amount of \$148,700.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena provided the CFO has certified the availability of funds, that the Mayor and Clerk are authorized to execute an Agreement with Arawak Paving Co., Inc. in the amount of \$148,700.00.

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

**RESOLUTION 75-17 BOROUGH OF BUENA
2017 EMERGENCY TEMPORARY BUDGET
m/Baker s/Alvarez**

WHEREAS, an emergent condition has arisen with respect to providing appropriation for expenditures and no adequate provision has been made in the 2017 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 2017 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40A:4-20) including this resolution total \$1,897,322.79:

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 2017 municipal budget as adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

	<u>2017</u>
General Government:	
Audit Contract Services	
Other Expenses	\$2,500.00
Land Use Board	
Other Expenses	\$ 300.00
Public Works:	
Streets & Roads	
Other Expenses	\$5,000.00

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

PERSONNEL:

**RESOLUTION 69-17 A RESOLUTION AMENDING RESOLUTION 63-17 OF THE BOROUGH OF BUENA TEMPORARILY TRANSFERRING SELECTED RESPONSIBILITIES OF THE ADMINISTRATOR.
m/Baker s/Alvarez**

WHEREAS, the Borough of Buena has accepted the resignation/retirement of Paul D. Trivellini, effective April 30, 2017; and

WHEREAS, the Buena Borough has not named a replacement Administrator; and

WHEREAS, the Borough of Buena has need for someone assigned to act as Appointing Authority, liaison with the County of Atlantic for e-mail addresses, and someone authorized to sign employee timesheets ; and

WHEREAS, the inclusion of a stipend in the amount of \$100 weekly was inadvertently omitted from resolution 63-17.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that beginning May 1, 2017 Cindi LoGuidice, CFO, be empowered to act as temporary Appointing Authority, temporary liaison with the County of Atlantic for e-mail addresses, and temporary signatory for employee timesheets until such time as the Council of the Borough shall approve a permanent Administrator. Further, until such time as a replacement is employed, Cindi LoGuidice shall receive an additional stipend of \$100 weekly for the additional duties

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

**RESOLUTION 72-17 A RESOLUTION APPOINTING JOSEPH RIZZUTO TO THE PROVISIONAL POSITION OF PART-TIME ELECTRICAL SUB-CODE OFFICIAL
m/Baker s/Alvarez**

WHEREAS, the Borough of Buena has a vacancy for the position of part-time Electrical Sub-Code Official due to the retirement of Jerome Volpe; and

WHEREAS, the Borough has advertised privately and through New Jersey Civil Service without response; and

WHEREAS, Joseph Rizzuto holds the certificate issued by the State of New Jersey as Electrical Sub-Code Official (05046) and has been performing the duties as a substitute in this position; and

WHEREAS, Joseph Rizzuto has expressed interest in this provisional vacancy;

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

Effective, May 8, 2017, Joseph Rizzuto shall be appointed to the position of part-time Electrical Sub-Code Official and be paid in accordance with the Borough Salary Ordinance, \$6,500 pro-rated for 2017.

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

**RESOLUTION 73-17 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, BOROUGH LABOR ATTORNEYS AND STAFF 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/Alvarez**

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, Borough Labor Attorney and staff concerning the matter of Seidel v. the Borough of Buena, et al.

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 May 8, 2017 in the Council Chambers immediately following or during 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, Borough Labor Attorney and staff shall be made 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 30 days, however, any personal confidential information may not be released.

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

ENGINEER' S REPORT

FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street

We are awaiting approval of the permit for the culvert replacement from the NJDEP. We anticipate receiving the permit shortly. That project will then be advertised for public bid.

We received bids for the resurfacing component of the project. The low bidder was Arawak Paving Co., Inc. with a bid in the amount of \$148,700.00. A contract for this project must be awarded at the May 8, 2017 Borough Council Meeting to comply with the NJDOT award deadline.

Melini Park Senior Recreation Facility – CDBG Project

Our office is working on the bid documents.

Kimberly Lane Speed Study

The automatic traffic recorders have been malfunctioning and will need to be re-installed.

SOLICITOR'S REPORT: Nothing

COMMITTEE REPORTS:

ROADS/RECYCLING: (COUNCILMAN MAROLDA) Councilman Marolda reported the road department is working on branch/leaf collection, filling pot holes, installing no parking signs and a gas main will be worked on Williams Ave. The MUA is moving forward with the sewer on Louis Drive. Also, he had more calls on Lauren Court and Solicitor Tonetta said he would do it this week.

ECONOMIC DEVELOPMENT: (COUNCILMAN WALKER) Nothing

RECREATION: (COUNCILWOMAN BAKER) Councilwoman Baker advised the ridership in April for the 54/40 shuttle was 982. This was an average of 49 passengers per day. Next, she announced there were 2 successful events in the Borough yesterday. Our Lady of the Blessed Sacrament had their annual chicken BBQ and The Historic Friendship Church celebrated its 209th anniversary. Upcoming event: Monday, May 29th Memorial Day Ceremonies will begin 9am at the American Legion Post #270 and continue to the Emilio Marandino Post followed by refreshments at the American Legion Hall.

FINANCE: (COUNCILMAN MANCUSO) Nothing

PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN ALVAREZ) Councilman Alvarez attended the last BBSA meeting and confirmed that locking the fields is not allowed. Their balance before expenses was \$48,000. He went through a list of expenses and said if anyone had any additional questions to go to the next BBSA meeting on Wednesday, May 17th.

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY) Councilman McAvaddy stated he wanted the raising rental fees to \$125 on the agenda tonight.

NEED MOTION TO INDRODUCE AND PASS ON FIRST READING:

**ORDINANCE 649 AN ORDINANCE AMENDING ORDINANCE 517 CHAPTER
82-9 OF THE CODE OF THE BOROUGH OF BUENA
ENTITLED REGISTRATION AND INSPECTION FEE
m/McAvaddy s/Marolda**

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	X			
WALKER				X
BAKER		X		
MANCUSO				X
ALVAREZ	X			
MCAVADDY	X			

CORRESPONDENCE:

1. Patrick Newton letter of intent to retire effective May 31, 2017.
m/Baker s/Alvarez

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

CLERK'S REPORT:

Minutes of the meeting of April 24, 2017 were approved with the following correction "The Borough is now responsible if anyone were to be injured at these unsafe locations." m/Baker s/Alvarez

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

UNFINISHED BUSINESS: Nothing

NEW BUSINESS: Nothing

BILLS PAID AS LISTED: m/Baker s/Alvarez

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

NEXT MEETING: May 22, 2017

MEETING ADJOURNED: m/Baker s/Alvarez

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

BRIANNA PACE
DEPUTY CLERK