

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 12, 2024  
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**MEETING CALLED TO ORDER:** \_\_\_\_\_ **P.M.**  
**MEETING ADJOURNED:** \_\_\_\_\_ **P.M.**

**CALL MEETING TO ORDER: FLAG SALUTE**

**ROLL CALL OF ATTENDANCE:**

<b>Council Member</b>	<b>Present</b>	<b>Absent</b>
GIOVINAZZI		
ALVAREZ		
ADAMS		
BARSUGLIA		
ANDALORO		
DESTEFANO		

**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 and The Daily Journal on November 27, 2023 as well as having been posted on the municipal bulletin board and website at [www.buenaboro.org](http://www.buenaboro.org)

**MAYOR’S REPORT:** FIRST ORDER OF BUSINESS.

**MAYOR:** PUBLIC COMMENT: OPPORTUNITY FOR ANYONE TO COMMENT WITH A LIMIT OF FIVE (5) MINUTES PER SPEAKER. PLEASE REFER TO THE FOLLOWING STATEMENT:

PUBLIC COMMENT PROVIDES AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO INFORM THE MAYOR AND GOVERNING BODY ABOUT THEIR VIEWS. THE MAYOR AND GOVERNING BODY PRESCRIBES TO COUNCIL'S BY-LAWS AND THE NEW JERSEY STATUTES ON OPEN PUBLIC MEETINGS WHEN ENGAGING DURING PUBLIC COMMENT. AS SUCH, EACH INDIVIDUAL SHALL HAVE A 5 MINUTE LIMIT TO COMMENT; AN INDIVIDUAL CANNOT YIELD TIME TO ANOTHER INDIVIDUAL; AN INDIVIDUAL MAY ONLY APPROACH THE PODIUM ONCE DURING PUBLIC COMMENT FOR ANY ONE TOPIC; VULGAR OR OFFENSIVE LANGUAGE IS PROHIBITED AND MAYOR AND COUNCIL WILL NOT ENGAGE IN DIALOGUE WITH THE PUBLIC DURING THIS TIME. THE GOVERNING BODY MAINTAINS MODEL COURTESY AND RESPECT AND REQUIRES MEMBERS OF THE PUBLIC TO DO THE SAME.

**PUBLIC PORTION OF THE MEETING:**

**MOTION TO OPEN THE PUBLIC PORTION OF THE MEETING:**

**MOTION:** \_\_\_\_\_

**SECOND:** \_\_\_\_\_

**RCV**

<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
GIOVINAZZI					
ALVAREZ					
ADAMS					
BARSUGLIA					
ANDALORO					
DESTEFANO					

**Anyone wishing to address Mayor and Council please step forward and state your name**

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for the record.

**MOTION TO CLOSE PUBLIC PORTION:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
	DESTEFANO					
<b>RCV</b>						

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**NEED MOTION TO OPEN THE PUBLIC HEARING ON:**

**ORDINANCE NO.745 AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE BOROUGH OF BUENA § 82-1 CREATING THE POSITIONS OF HOUSING INSPECTOR AND HOUSING INSPECTOR TRAINEE, CONSISTENT WITH CIVIL SERVICE CLASSIFICATIONS**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
	DESTEFANO					
<b>RCV</b>						

**DISCUSSION:**

**NEED MOTION TO CLOSE THE PUBLIC HEARING:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
	DESTEFANO					
<b>RCV</b>						

**ORDINANCE 745 ADOPTED:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
	DESTEFANO					
<b>RCV</b>						

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**WHEREAS**, the Municipal Code of the Borough of Buena § 82-1 created the position of Occupancy Inspector to be appointed by the Council of the Borough of Buena and to hold office for a term of one year;

**WHEREAS**, the duties of the Occupancy Inspector included enforcing the property maintenance code and of issuing occupancy permits for all dwellings in the Borough of Buena, including but not limited to dwelling units, rooming units, dormitory units, rooming houses, single- and two-family dwellings and all other dwellings as defined in the property maintenance code which are subject to the jurisdiction of the Occupancy Inspector;

**WHEREAS**, Civil Service Classifications do not include a position known as Occupancy Inspector, instead the duties of the Occupancy Inspector fall under the Civil Service Title of Housing Inspector, which include specific training, experience and licensing:

**WHEREAS**, consistent with the Civil Service Classification, pursuant to Ordinance No. 743-23 the duties of the Occupancy Director were transferred to the Borough's Housing Inspector a Classified position which has not yet been created by Ordinance.

**NOW THEREFORE, BE IT ORDAINED**, the Council of the Borough of Buena, New Jersey, the governing body of the Borough of Buena that the Municipal Code § 82-1 be, and is hereby replaced with the following:

**§ 82-1 Creation of position of Housing Inspector, and Housing Inspector Trainee:**

There is hereby created within the Borough of Buena one or more positions known as "Housing Inspector," to replace the position of Occupancy Inspector. The Housing Inspector(s) shall be appointed by the Council of the Borough of Buena in accordance with the rules and regulations of the New Jersey Civil Service Commission. Such Housing Inspector(s) shall have the duty of enforcing the property maintenance code which was adopted by the Council of the Borough of Buena pursuant to **Ordinance No. 446**, as amended by **Ordinance No. 743-23**, and of issuing occupancy permits for all dwellings in the Borough of Buena, including but not limited to dwelling units, rooming units, dormitory units, rooming houses, single and two-family dwellings and all other dwellings as defined in the property maintenance code which are subject to the jurisdiction of the Housing Inspector(s). The salary of the Housing Inspector(s) shall be as provided in the Salary Ordinance of the Borough of Buena.

There is hereby created within the Borough of Buena the position known as "Housing Inspector Trainee." The Housing Inspector Trainee shall be appointed by the Council of the Borough of Buena in accordance with the rules and regulations of the New Jersey Civil Service Commission. The Housing Inspector Trainee shall work under and take direction from the Housing Inspector(s). The Housing Inspector Trainee will receive training and experience by assisting the Housing Inspector(s) with the performance of his or her duties, and otherwise have the duties set forth in the rules and regulations of the Civil Service Commission. The salary of the Housing Inspector Trainee shall be as provided in the Salary Ordinance of the Borough of Buena.

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**NEED MOTION TO OPEN THE PUBLIC HEARING ON:**

**ORDINANCE NO. 746      AN ORDINANCE AMENDING ORDINANCE NO. 22,  
AS AMENDED BY ORDINANCE 741, CHAPTER 18  
OF THE CODE OF THE BOROUGH OF BUENA  
ENTITLED FIRE COMPANIES**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
<b>RCV</b>	DESTEFANO					

**DISCUSSION:**

**NEED MOTION TO CLOSE THE PUBLIC HEARING:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
<b>RCV</b>	DESTEFANO					

**ORDINANCE NO. 746 ADOPTED:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
<b>RCV</b>	DESTEFANO					

**WHEREAS**, on February 26, 1961, the Borough Council adopted Ordinance 22 an Ordinance establishing two separate Boards of Commissioners, and two separate fire districts in accordance with N.J.S.A. 40A:14-70, known as Fire District Number 1 and Fire District Number 2; and

**WHEREAS**, Borough Council considered an Ordinance to dissolve Fire District Number 2 and after approval of the dissolution by the Department of Community Affairs, Local Finance Board on July 14, 2021, Council thereafter adopted an Ordinance dissolving Fire District Number 2; and

**WHEREAS**, the Borough Council received and considered a petition to dissolve all fire districts and commissioners so as to allow the Borough Council act as and for the supervision of

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all fire suppression and prevention services within the Borough and after approval of the dissolution by the Local Finance Board, Borough Council considered the cost savings to the taxpayers in dissolving the fire district and Commissioners and adopted an Ordinance dissolving the last fire district in accordance with N.J.S.A. 40A:14-68; and

**WHEREAS**, as the Borough Council on December 11, 2024 adopted Ordinance 741 assuming the duties and obligations previously held by the Fire Commissioners, the Borough Council found it necessary and in the best interest of the Borough, its residents and surrounding communities to consider the creation of one municipal volunteer fire company amendment of Ordinance 22, Chapter 18 of the Code of the Borough of Buena to reflect the dissolution of the fire districts and commissioners and to unify the fire suppression and prevention services for the Borough as a whole and establish the Fire Department under the Borough of Buena.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Buena that Ordinance 22, as amended by Ordinance 741, Chapter 18 of the Code of the Borough of Buena entitled Fire companies be amended by the deletion thereof and replacement as follows:

## **Chapter 18. Fire Department**

### **Article I. Fire Suppression/ Prevention Services**

#### **Section 18-1 ESTABLISHMENT AND FUNDING**

There shall be a Volunteer Fire Department established by the Borough which shall promulgate its own rules and regulations and conduct its operations in accordance with the Fire Ordinance and the Fire Code and the amendments heretofore enumerated. The Volunteer Fire Department is hereby designated as the Buena Borough Volunteer Fire Department (BBFD). The Fire Department shall annually choose a Chief from its members which shall be ratified with the advice and consent of Borough Council, who shall be the head of the Buena Borough Volunteer Fire Department. The objective of the Buena Borough Volunteer Fire Department shall be the protection of life and property and the prevention of fires within the limits of the Borough and surrounding communities in accordance with any and all mutual aid laws, regulations and agreements.

- A. The Council of the Borough of Buena shall have general supervision and control of all fire suppression and prevention services within the Borough of Buena and there shall not be any other firefighting organization to be providing firematic services within the Borough without the consent of the Borough Council, excepting such services as provided by other companies in furtherance of mutual aide.
- B. The Borough Council shall appropriate such sums of money as shall be deemed necessary for the proper function of the BBFD in performing its duties on behalf of the Borough.

#### **Section 18-2 FIRE CHIEF**

- A. There shall be a Fire Chief elected by the membership of the department that are eligible to vote pursuant to the by-laws of the BBFD and ratified with the advice and consent of Borough Council. The Fire Chief shall serve for a one (1) year term commencing 12:00 noon on January 1 of each year and serve until duly replaced and shall serve in an acting capacity pending confirmation and acceptance by the Governing Body.
- B. The Fire Chief shall have all of the following qualifications in order to serve:
  - 1. Must be qualified to serve as an active firefighter in the BBFD and documented experience in fire service for at least 3 consecutive years.

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2. Must be in good standing at the time of nomination
3. Must have the ability to read, write and speak the English Language
4. Must have a valid New Jersey Drivers License during the entire term of service as Chief
5. Must have New Jersey Division of Fire Safety Fire Officers Requirements

a. Certifications:

1. Fire Fighter I
2. Hazardous Materials Awareness
3. Hazardous Materials Operations ,
4. IMS Level 1 and IMS Level 2
5. Hazardous Materials on Scene Incident Commander.

b. Training:

1. Incident Command Systems (ICS) I-100 Introduction to ICS,
2. I-200 ICS for Single Resources and Initial Action Incidents (classroom instructor led),
3. Incident Management Systems (IMS I-700 and I-800 (both classes may be on line)
4. Compliance with current State of New Jersey Division of Fire Safety Fire Officer Qualifications.

- C. Should there be a discrepancy between the requirements herein and those as promulgated by the Department of community Affairs, Division of Fire, the requirements of the Division of Fire shall supersede those sections contained herein.

**Section 18-2 LINE OFFICERS**

- A. There shall be one (1) Deputy Chief; One (1) Assistant Chief, not more than three (3) Captains as determined by the Borough Council upon recommendation of Fire Chief and not more than three (3) Lieutenants as determined by the Borough Council upon recommendation of Fire Chief. They shall be elected from the active members of the Department in accordance with the rules and regulations of the BBFD and ratified by the Governing Body

- B. The Deputy Chief, and Assistant Chief shall have all of the following qualifications in order to serve:

1. Must be qualified to serve as an active firefighter in the BBFD and documented experience in fire service for at least 3 consecutive years.
2. Must be in good standing at the time of nomination
3. Must have the ability to read, write and speak the English Language
4. Must have a valid New Jersey Driver's License during the entire term of service as Deputy Chief and Assistant Chief
5. Must have New Jersey Division of Fire Safety Fire Officers Requirements:

a, Certifications:

1. Firefighter 1
2. Hazardous Materials Awareness
3. Hazardous Materials Operations
4. IMS Level 1 and IMS Level 2
5. Hazardous Materials on Scene Incident Commander

b.Training

1. Incident Command Systems (ICS) I-100 Introduction to

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ICS

2. I-200 ICS for Single Resources and Initial Action Incidents (classroom instructor led)
3. Incident Management System (IMS I-700 and I-800 (both classes may be on line)

c. Compliance with current State of New Jersey Division of Fire Safety Fire Officer Qualifications.

C. The Captains and Lieutenants shall have all of the following qualifications in order to serve:

1. Must be qualified to serve as an active firefighter in the BBFD and documented experience in fire service for at least 3 consecutive years.
2. Must be in good standing at the time of nomination
3. Must have the ability to read, write and speak the English Language
4. Must have a valid New Jersey Driver's License during the entire term of service as Chief
5. Must have New Jersey Division of Fire Safety Fire Officers Requirements

a. Certifications:

1. Firefighter 1
2. Hazardous Materials Awareness
3. Hazardous Materials Operations
4. IMS Level 1

b. Training

1. Incident Command Systems (ICS) I-100 Introduction to ICS
2. I-200 ICS for Single Resources and Initial Action Incidents (classroom instructor led)
3. Incident Management System (IMS I-700 and I-800 (both classes may be on line)

c. Compliance with current State of New Jersey Division of Fire Safety Fire Officer Qualifications.

**Section 18-3 MEMBERSHIP AND JUNIOR MEMBERSHIP**

A. Membership applications shall be open to all persons and application forms approved by the Director of Public Safety shall be completed. Membership shall be open to all residents of the Borough of Buena and surrounding, adjacent municipalities and within 5 miles of the boundaries of the Borough. No person shall be discriminated against including race or gender, who shall have acquired the following Certifications: Fire Fighter 1, Hazardous Materials Awareness, Hazardous Materials Operations and have receive the following required training: I-100 Introduction to ICS, I-200 ICS for Single Resources and Initial Action Incidents (classroom instructor led), I-700 National Incident Management System, An Introduction, I-800 National Response Framework (both classes may be on line). All applications shall present a New Jersey Motor Vehicle Commission Drivers Abstract which shall be reviewed by the Board of Fire Officers and recommendations to accept or reject a candidate shall be made to Borough Council within 30 days of receipt of applications. Borough Council shall finally approve or disapprove all members to BBFD. All potential members shall undergo background investigations and physical evaluations. No person shall be approved as a member should there be a criminal conviction on their record or physically unable to perform the duties of firefighter.

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- B. On a yearly basis all members shall be evaluated in March by the BBFD Board of Fire Officers to determine if a member has maintained an activity level of 20 LOSAP points for two consecutive years and to confirm that no member has been convicted of any criminal activity.
- C. There shall be established the Junior Fireperson's Auxiliary per N.J.S.A. 40A:14-95. Qualifications and eligibility for said membership shall be in accordance with N.J.S.A. 40A:14-96
- D. Exempt Members. Any BBFD member who holds a Borough issued exempt certificate or a qualifying certificate issued by the New Jersey State Firemen's Association shall be entitled to be an exempt member of the BBFD. Exempt members shall have all of the rights and privileges of active membership.
- E. Honorary Members. Upon a vote of 2/3 of the membership, a BBFD member may be granted an honorary membership who is an exempt member and who holds a qualifying certificate or who has been a member of the BBFD for 20 years or more. Honorary Members shall not be required to comply with fire duty attendance requirements, except such member shall not qualify for LOSAP unless he/she has met the LOSAP point requirements as set forth herein.

**Section 18-4 APPROVAL OF BY-LAWS**

The Board of Fire Officers shall recommend rules and regulations in conformity with the Buena Borough Municipal Code and best practices for firematic services in the State of New Jersey. The Governing Body may adopt or amend such rules and regulation proposals in the best interest of the Borough residents and as necessary for the control, disposition and discipline of the BBFD and subject to review and changes as required by the Borough's insurance carrier or their representatives. A copy of the rules and regulations shall be given to all firefighters listed in the roles of firefighters for the BBFD.

**Section 18-5 OWNERSHIP OF BUILDINGS AND EQUIPMENT**

- A. Building Ownership and Use. The land and improvements within which the BBFD operates is and shall remain the property of the Borough of Buena and shall be located at 255 Wheat Road, Borough of Buena, which has been utilized for firematic services in the past and is located in an area of the Borough which has proven in the past to be adequately located for the proper protection of the residents and property within the Borough. The Borough shall maintain insurance thereon including liability and property damage coverage as provided through the Borough insurance carrier. Notwithstanding said ownership, no person shall be permitted in any area of the building not otherwise open to the public without first notifying the Chief or his representative and without being accompanied by or having special permission by the Chief or his representative. The Borough may utilize other portions of the building for public purposes provided it does not substantially interfere with proper firefighting services. No use of the building or grounds shall be permitted for private purposes without express consent of the Public Safety Director and Borough Council and only upon notification to and with the approval of, the Borough's insurance carrier.
- B. Firefighting Equipment, Clothing and Apparatus. All firefighting equipment, clothing, apparatus purchased by the Borough, or the predecessor Fire Commissioners shall remain the property of the Borough of Buena. Except as may be authorized by Borough Council, no person shall use any fire equipment or apparatus for any private purpose. No person shall willfully and without authority take away or conceal any asset specified herein.



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No fire apparatus of the Borough shall be permitted to leave the Borough of Buena without the consent of the Chief and Borough Public Safety Director except in response to a call for service in a neighboring community or official business relating to firematic services, including training. No apparatus is to leave the Borough on official business except in response to a fire call without the consent of the Chief and Public Safety Director, but in no event shall any equipment be permitted outside of the Borough if, in the judgment of the Chief, in doing so would jeopardize the protection of the Borough and its residents.

The use of fire equipment and apparatus for Borough sponsored events, such as Parades or public relations events is permitted provided it is first approved by the Chief and Public Safety Director and the Borough's insurance carrier.

- C. Location and Storage of Fire Equipment and Apparatus. Except for gear assigned to each firefighter, all Borough equipment and apparatus shall be safely and conveniently housed by the BBFD at the Fire Station, or such other building as approved by Borough Council and the Fire Chief.
  
- D. The Borough has one or more "Command Vehicles" authorized by Borough Council and the Public Safety Director which are used solely by the Chief and such Line Officers assigned to said vehicle by the Chief. Command Vehicles are vehicles used solely for the purposes of transportation to and from fire scenes or for official fire business and are permitted to be taken by the Chief and Line Officers to their home and other locations to allow for immediate response to fire calls, however the Command Vehicles shall not be used for personal use. Command Vehicles may also contain such equipment as is necessary for proper operation of the BBFD.

**Section 18-6 DUTIES AND RESPONSIBILITIES OF OFFICERS**

- A. **Chief of Department.** In addition to all of the duties and responsibilities of all members of the BBFD, the Chief shall:
  - 1. Timely review and submit all NFIRS Reports as required by the State of New Jersey
  - 2. Develop a schedule of the testing and certification of the following:
    - a. SCBA Training (January)
    - b. RTR Training (January)
    - c. Cascade Training (January)
    - d. Fit-testing (January)
    - e. Blue Light Awareness refresher (January)
    - f. Emergency Action Plan (EAP) review/awareness (January)
    - g. Bloodborne Pathogens/HazMat Awareness (February)
    - h. SOG/SOP Review (March)
    - i. Ladder Testing
    - j. Hose Testing
    - k. Pump Testing
    - l. SCBA Air Testing
    - m. SCBA Equipment Testing Hydro-Static Testing for SCBA (as required)
    - n. Apparatus Maintenance (as required)
    - o. Monthly Drill Schedule
    - p. Aerial Testing
    - q. CPR Training/Certification (as required)
    - r. CPR Training/Certification (as required)
    - s. Turn-out gear Inspection (as required)
    - t. Turn-out gear Cleaning/Maintenance (as required)
    - u. Any other required testing/certifications of any new equipment purchased.

Scheduling of testing and certifications set forth herein above may be modified subject to scheduling and availability in the discretion of the Chief provided said scheduling does not impact the proper operation of

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the BBFD and its members.

3. The Chief shall submit the Schedule of testing and certification to the Director of Public Safety for submission to Borough Council
4. The Chief shall have direct supervision of the BBFD at all times, including but not limited to responding to an alarm at drills and at such other times when the BBFD membership is assembled. The Chief shall always take prompt and efficient measures to control the fire scene and shall have full power and control and command over all apparatus and members of the BBFD and all fire, rescue. In the absence of the Chief, the command shall devolve pas per the by-laws of the BBFD.
5. The Chief shall keep and maintain all records as to attendance at all alarms and drills for each member. The Chief shall also be responsible to certify LOSAP points for all members to the Borough for qualification for LOSAP
6. The Chief shall provide monthly reports on the second Monday of each month during the regular meeting of Borough Council of all matters regarding the maintenance and operation of BBFD as well as all reports of alarms and attendance to calls. Written reports shall be submitted to the Director of Public Safety prior thereto.
7. The Chief shall provide an annual report with recommendations, if any, for the improvement of the effectiveness of the BBFD.
8. The Chief shall transmit to the Borough Council and Chief Financial Officer on or before November 1 of each year a proposed annual budget in the form as presented by the CFO.

**B. Deputy Chief and Assistant Chief.** The Deputy Chief and Assistant Chief are directly responsible to the Chief and shall have general supervision at all fire calls, alarms, hazardous material emergencies and fire drills in the absence of the Chief.

**C. Captains and Lieutenants.** The Captains and Lieutenants shall be directly responsible to the Chief and shall have general supervision at all fire calls, alarms, hazardous material emergencies and fire drills. Captains and Lieutenants shall have such other duties as required in the BBFD by-laws.

**D. Authority at fires and other emergencies.**

The Fire Chief or duly authorized representatives, as may be in charge at the scene of a fire or other emergency involving the protection of life and/ or property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The Fire Officer in charge may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the Fire Department. The Fire Officer in charge may remove or cause to be removed any person, vehicle or object from a hazardous area. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by the Fire Officer in Charge.

**E. Interference with Fire Department operations.**

It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of, or block the path of travel of, any Fire Department emergency vehicle in any way, or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper any Fire Department operation.

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**Section 18-7 Department Board of Fire Officers.**

There shall be a Board of Fire Officers of the Department consisting of the Chief, the Deputy Chief and all Captains. The immediate ex-Department Chief shall also serve on this Board in an advisory capacity. Duties of the Board shall be as specified in the Rules and Regulations as well as the following:

1. Review and assist in the recommendation of a yearly budget
2. Review and make recommendations regarding membership
3. Review and present any disciplinary charges against any member to the Public Safety Committee

**Section 18-7 LENGTH OF SERVICE AWARD PROGRAM (LOSAP)**

- A. **Program Established.** Whereas, the Commissioners of Fire District No 1 and No 2, now dissolved, have adopted Resolutions creating the Length of Service Award Program (LOSAP) to provide tax deferred income benefits from the Borough to active volunteer members of the fire companies previously operating within the Borough and have created a points system that reflects the range of volunteer services that may be provided to the Minotola Fire Company and Landisville Fire Company members. Upon the dissolution of Fire District No. 1 and its Commissioners, evaluation and redistribution of annual LOSAP qualification points was assigned to Fire District No. 2. The following sets forth the established criteria which shall be adopted as follows:
- B. **Criteria.** The LOSAP shall provide for annual contributions to each eligible member who meets the criteria as follows:
- (1) Eighty (80) points are required for a member to be eligible for an annual contribution.
  - (2) Five (5) years of service are required for vesting.
  - (3) The annual contribution per member shall be \$1,504.74.
- C. **Categories, Distribution and Assignment of Annual Qualification Points.** The Commissioners of Fire District No.2 adopted Resolution 2020-016 setting forth the categories, distribution and assignment of LOSAP annual qualification points. The following sets forth the established criteria which shall be adopted as follows.
- (1) **Incidents.** One and one half (1.5) points shall be awarded for each fire call member response between the hours of 0700hrs-2259hrs and two and one half (2.5) points shall be awarded for each fire call member response between the hours of 2300hrs-0659 hrs No Max.
  - (2) **Drills.** Two points shall be awarded for each drill attended. No Max
  - (3) **Training.** One point shall be awarded for the first hour of training and on quarter (.25) points foreach additional one-half hour attended 30 point max.
  - (4) **Meetings.** One point for each meeting attended 10-point max.
  - (5) **Special Assignments.** One point for the first hour of the special assignment and one quarter (.25) points for each additional one-half hour attended 10 points max
  - (6) **Any person completing Firefighter II after January 1, 2021** shall be eligible to receive eighty (80) points upon successful completion

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of the course and receipt of State Certification. Said points shall be awarded once in the year attaining such certification.

**BE IT FURTHER ORDAINED** that all Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are and the same are hereby repealed.

**BE IT FURTHER ORDAINED** that should any portion of this Ordinance be declared unenforceable by a court of competent jurisdiction, that portion deemed unenforceable shall be void to the extent of such determination and the balance hereof shall remain in full force and effect.

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

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**NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:**

**ORDINANCE NO. 747                      BOND ORDINANCE APPROPRIATING FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) AND AUTHORIZING THE ISSUANCE OF UP TO FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) IN BONDS AND NOTES OF THE BOROUGH OF BUENA FOR THE CONSTRUCTION OF VARIOUS ROADWAY IMPROVEMENTS BY THE BOROUGH OF BUENA, IN THE COUNTY OF ATLANTIC, NEW JERSEY**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
<b>RCV</b>	DESTEFANO					

**THE BOROUGH COUNCIL OF THE BOROUGH OF BUENA, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.     Appropriation for Project-Down Payment.**

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general capital improvements to be made or acquired by the Borough of Buena, in the County of Atlantic, New Jersey (the “**Borough**”). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000). In accordance with N.J.S.A. 40A:2-11c, no down payment is required as this Bond Ordinance authorizes projects funded by State grants.

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**Section 2. Authorization of Bonds.**

For the financing of said improvements or purposes and to meet the FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the maximum principal amount of FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) pursuant to the Local Bond Law of New Jersey (the “**Local Bond Law**”) and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the Borough in the maximum principal amount of FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3. Description of Projects.**

The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and the estimated costs of such purposes (including all work or materials necessary therefore or incidental thereto), and the estimated maximum amount of bonds or notes to be issued for such purposes are as follows:

<b><u>IMPROVEMENT OR PURPOSE</u></b>	<b><u>APPROPRIATION AND ESTIMATED COST</u></b>	<b><u>AMOUNT OF BONDS OR NOTES</u></b>
<p>Construction of Various Roadway Improvements to Plymouth Street, Friendship Road and Southwest Boulevard under the NJDOT FY 2023 Local Transportation Projects Fund and to East Summer Road under the NJDOT FY 2024 Municipal Aid Projects, including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, demolition of unfit structures, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.</p>	<p><u>\$450,000</u></p>	<p><u>\$450,000</u></p>
<b>TOTAL</b>	<b><u>\$450,000</u></b>	<b><u>\$450,000</u></b>

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The excess of the appropriation made for such improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as stated above, not including the amount of any grant, is the amount of the said down payments for said purposes.

**Section 4. Authorization of Notes.**

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the Borough in a principal amount not exceeding FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Council of the Borough at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

**Section 5. Capital Budget.**

The capital budget of the Borough of Buena is hereby amended to conform with the provisions of this bond ordinance. The resolution in the form promulgated by the Local Finance Board, including the current capital budget and capital program is on the file with the Clerk and is available there for public inspection.

**Section 6. Additional Matters.**

The following additional matters are hereby determined, declared and recited and stated:

(a) **Capital Expenditures.** The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully require or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) **Average Period of Usefulness.** The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **10 years**.

(c) **Supplemental Debt Statement.** The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by FOUR

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HUNDRED FIFTY THOUSAND DOLLARS (\$450,000), and the said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) **Soft Costs.** Amounts not exceeding TWO HUNDRED THOUSAND DOLLARS (\$200,000) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Borough in connection with the acquisition of such improvements and properties as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvements and are included in the foregoing estimate thereof.

**Section 7. Ratification of Prior Actions.**

Any action taken by any officials of the Borough in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

**Section 8. Application of Grants.**

Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 9. Full Faith and Credit.**

The full faith and credit of the Borough are hereby pledged to punctual payment of the principal and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

**Section 10. Official Intent to Reimburse Expenditures.**

The Borough reasonably expects to reimburse any expenditures towards the cost of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "control group" as the Borough, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

**Section 11. Effective Date.**

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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**NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:**

**ORDINANCE NO. 748      AN ORDINANCE TO ACCEPT A STREET TO BE KNOWN AS HEATHERWOOD DRIVE**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
<b>SECOND:</b> _____	ADAMS					
	BARSUGLIA					
	ANDALORO					
<b>RCV</b>	DESTEFANO					

WHEREAS, JERSEY TOP QUALITY CONSTRUCTION, LLC, a New Jersey Limited Liability Company, located at 2717 London Lane, Vineland, NJ 08361, by a Petition in writing and Deed, both bearing date of January 24, 2024 and filed with the Borough of Buena, has dedicated to the public use the area of land described below, situated in the Borough of Buena, County of Atlantic and State of New Jersey, to be known as HEATHERWOOD DRIVE, which land is more particularly described as follows:

**ALL** that certain tract of lands situated in the Borough of Buena, County of Atlantic, and State of New Jersey, bounded and described as follows:

**BEGINNING** at a concrete monument found at the intersection of the Easterly right of way line of Brewster Road a.k.a. County Route #672 (49.50 feet wide) with the Northerly right of way line of Heatherwood Drive (50.00 feet wide) and running; thence

- 1) Along the Easterly right of way line of Brewster Road, South 23 degrees 50 minutes 00 seconds West a distance of 51.40 feet to an iron pin set; thence
- 2) South 79 degrees 35 minutes 00 seconds East a distance of 190.16 feet to an iron pin set; thence
- 3) Curving to the right with a radius of 25.00 feet and an arc length of 21.03 feet to an iron pin set; thence
- 4) Curving to the left with a radius of 50.00 feet and an arc length of 241.18 feet to an iron pin set; thence
- 5) Curving to the right with a radius of 25.00 feet and an arc length of 21.03 to an iron pin set; thence
- 6) North 79 degrees 35 minutes 00 seconds West a distance of 178.23 feet to the point and place of BEGINNING.

CONTAINING an area of 17,508.76 square feet (0.40+/- acres).

BEING KNOWN as Heatherwood Drive on the Borough of Buena Tax Maps.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF



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BUENA:

1. That the aforesaid lands described above and located in the Borough of Buena, be and the same are hereby accepted as and for use as a public street known as Heatherwood Drive.
2. That no building shall be erected or placed on said streets contrary to the ordinances of the Borough of Buena.
3. That the cost of said dedication and the passage and publication of this Ordinance shall be paid by the Petitioner.
4. This Ordinance shall take effect upon its passage and publication as provided by law.

**NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:**

**ORDINANCE NO. 749      AN ORDINANCE AMENDING ORDINANCE      THE SALARIES AND WAGES RANGES OF MUNICIPAL OFFICIALS AND EMPLOYEES OF THE BOROUGH OF BUENA FOR THE YEAR 2024**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
<b>SECOND:</b> _____	BARSUGLIA					
	ANDALORO					
<b>RCV</b>	DESTEFANO					

**BE IT ORDAINED** by the Council of the Borough of Buena, in the County of Atlantic and State of New Jersey, that the following salary and wage ranges are hereby established for municipal officials and employees in the Borough of Buena.

Mayor	\$ 8,112.00 – \$ 9,000.00
Council	\$ 4,161.00 – \$ 5,000.00
Administrator	\$10,000.00 – \$40,000.00
Municipal Clerk Full Time	\$46,000.00 – \$60,000.00
Municipal Clerk Part Time	\$25,000.00 – \$35,000.00
Deputy Municipal Clerk	\$27,000.00 – \$39,000.00
Acting Clerk – Full Time	\$42,000.00 - \$45,000.00
Tax Collector Part Time	\$23,000.00 – \$35,000.00
Tax Collector Full Time	\$46,000.00 – \$60,000.00
Chief Financial Officer Full Time	\$46,000.00 – \$70,000.00

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Qualified Purchasing Agent	\$ 2,000.00 – \$ 6,000.00
Tax Assessor Part Time	\$10,000.00 – \$25,000.00
Zoning Officer	\$ 4,500.00 – \$ 7,210.00
Enforcement Officer	\$ 6,500.00 – \$ 9,200.00
Construction Code	\$ 1,800.00 – \$ 3,500.00
Building Sub-Code Official	\$ 9,000.00 – \$11,000.00
Plumbing Sub-Code Official	\$ 6,500.00 – \$ 9,500.00
Electrical Sub-Code Official	\$ 6,500.00 – \$ 9,500.00
Fire Sub-Code Official	\$ 1,500.00 – \$ 5,000.00
Fire Official	\$ 4,000.00 – \$ 6,000.00
Occupancy Inspector	\$ 3,000.00 – \$ 4,300.00
Housing Inspector	\$ 3,500.00 – \$ 5,000.00
Housing Inspector Trainee	\$ 3,000.00 – \$ 4,300.00
Road Supervisor	\$75,000.00 – \$82,000.00
EMS Chief	\$40,000.00 – \$85,000.00
EMS – Full Time	\$30,000.00 – \$60,000.00
Director Emergency Management	\$ 550.00 – \$ 5,000.00
Clerk 1- Full Time	\$26,200.00 – \$45,000.00
Clerk 2 - Full Time	\$46,000.00 – \$49,499.00
Clerk 3 - Full Time	\$49,500.00 – \$65,000.00
Clerk 1 - Part Time	\$ 15.50 – \$ 25.00
Clerk 1 (Per Meeting)	\$ 100.00 – \$ 125.00
Land Use Secretary (Per Meeting)	\$ 100.00 – \$ 125.00
Land Use Board Chairman	\$ 30.00 – \$ 33.00
Land Use Board Members	\$ 25.00 – \$ 28.00
EMS – Part Time	\$ 17.00 – \$ 25.00
Substitute UCC Inspector	\$ 25.00 – \$ 35.00

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Substitute Code Enforcement	\$	25.00 - \$	35.00
Streets & Roads Laborer 1	\$	16.00 - \$	19.00
Streets & Roads Laborer 2	\$	19.01 - \$	25.00
Streets & Roads Laborer 3	\$	25.01 - \$	35.00
Part-Time Road Laborers & Seasonal	\$	15.50 - \$	18.00

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**CONSENT AGENDA:**

**Consent Agenda includes items of business which are not controversial and do not require individual discussion. A Motion approving the Consent Agenda is moved, seconded and voted upon as one item by the Borough Council. If any discussion is requested on a Consent Agenda item, it is removed from the Consent Agenda to the Regular Agenda**

- **RESOLUTION NO. 45-24** A RESOLUTION ACCEPTING THE RESIGNATION OF LEOBARDO E. CALIXTO EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS
- **RESOLUTION NO. 46-24** RESOLUTION INCREASING CLERK’S CHANGE FUND
- **RESOLUTION NO. 47-24** A RESOLUTION TO APPOINT FUND COMMISSIONERS TO THE SOUTHERN COASTAL REGIONAL EMPLOYEE BENEFITS FUND
- **RESOLUTION NO 48-24** RESOLUTION OF SUPPORT OF BILL CONCERNING RENT INCREASES FOR RESIDENTIAL TENANTS RESIDING IN CERTAIN DWELLING UNITS THAT ARE MODULAR OR MANUFACTURED HOMES
- **RESOLUTION NO. 49-24** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EXTENSION AGREEMENT WITH ATLANTIC COUNTY REGARDING THE MAINTENANCE AND INSTALLATION OF FLASHING SIGNAL EQUIPMENT
- **RESOLUTION NO. 50-24** A RESOLUTION ACCEPTING THE RESIGNATION OF RECREATION COMMISSIONER DIANA WILCOX
- **RESOLUTION NO. 51-24** NJDCA LOCAL RECREATION IMPROVEMENT APPLICATION
- **RESOLUTION NO. 52-24** A RESOLUTION APPROVING A SUBDIVISION MAP FILE DESCRIBING A STREET TO BE KNOWN AS HEATHERWOOD DRIVE
- **RESOLUTION NO. 53-24** A RESOLUTION AUTHORIZING THE CFO TO REFUND A DEVELOPERS ESCROW BALANCE IN THE AMOUNT OF \$75.00 TO ALINE CORNEW
- **RESOLUTION NO. 54-24** RESOLUTION TO AMEND TRANSFER APPROPRIATION BALANCES TRANSFER RESOLUTION
- **RESOLUTION NO 55-24** BOROUGH OF BUENA 2023 EMERGENCY TEMPORARY BUDGET
- **RESOLUTION NO. 56-24** A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AMENDING RESOLUTION 50-15 AUTHORIZING PAYMENTS FOR POST RETIREMENT MEDICAL BENEFITS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 48 (N.J.S.A. 2:14-17.38) AND PROVIDING FOR PAYMENTS OF POST MEDICAL BENEFITS IN ACCORDANCE WITH PLANS AUTHORIZED BY THE BOROUGH THAT ARE EQUAL TO OR BETTER THAN THOSE PROVIDED THROUGH STATE HEALTH BENEFITS PROGRAM
- **BILLS PAID AS LISTED**

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- **CLERK’S REPORT**

- MINUTES OF THE SPECIAL MEETING NOVEMBER 29, 2023
- MINUTES OF THE WORKSHOP & REGULAR MEETING OF DECEMBER 11, 2023
- MINUTES OF THE REORGANIZATION MEETING OF JANUARY 2, 2024
- MINUTES OF THE REGULAR MEETING OF JANUARY 16, 2024
- MINUTES OF THE SPECIAL MEETING OF JANUARY 25, 2024
- MINUTES OF THE SPECIAL MEETING OF JANUARY 31, 2024

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: _____	GIOVINAZZI					
	ALVAREZ					
	ADAMS					
SECOND: _____	BARSUGLIA					
	ANDALORO					
	DESTEFANO					
RCV						

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**MAYOR:** I appoint Cynthia Holland as Member of the Recreation Commission to fill the unexpired term of Diana Wilcox

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**SOLICITOR’S REPORT:**  
Richard Tonetta, Borough Solicitor

**ENGINEER’S REPORT:**  
MARC DEBLASIO, BOROUGH ENGINEER

**Grant Applications**

1. FY2023 NJDCA Local Recreation Improvement Grant (LRIG)
  - Our office completed and submitted the concept site plan and engineer’s estimate to the Aubrey Group on January 10<sup>th</sup>.
  - It is our understanding that the Aubrey Group has submitted the grant application to the NJDCA which is currently under review.
2. FY2024 NJDCA Local Recreation Improvement Grant (LRIG)
  - Our office forwarded the Borough information regarding the FY2024 Grant Application.

**Capital Projects**

1. FY2022 and FY2023 NJDOT Municipal Aid - Reconstruction of E. Flower Street and South Boulevard
  - The Borough has been notified by the NJDOT that \$285,000.00 in FY2022 Grant funds have been awarded for the reconstruction of E. Flower Street, E. Summer Road and South Boulevard.

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- The Borough has been notified by the NJDOT that \$261,640.00 in FY2023 Grant funds have been awarded for the reconstruction of E. Flower Street, E. Summer Road and South Boulevard.
  - Due to the fact that the project costs exceed the combined grant amounts and there appears to be a potential sanitary sewer pipe collapse on E. Summer Road, the Borough has decided to proceed with just South Boulevard and E. Flower Street.
  - The bid opening occurred on August 1, 2023 and the apparent low bidder was Asphalt Paving Systems, Inc. in the amount of \$528,395.00. The bids exceeded the Engineer’s Estimate and were rejected. The project will be advertised for re-bid.
  - The project was re-bid and the bid opening occurred on October 4, 2023. The apparent low bidder was Arawak Paving Company, Inc. in the amount of \$383,000.00.
  - Stormwater pipe work is complete on East Flower Street. Concrete curb and sidewalk work is complete on South Boulevard. The roads will be paved in the springtime when the Asphalt plant reopens.
2. FY2023 NJDOT Local Transportation Projects Fund - Reconstruction of Plymouth Street, Friendship Road and Southwest Boulevard
- The Borough has been notified by the NJDOT that \$400,000.00 in FY2023 Grant funds have been awarded for the reconstruction of Plymouth Street, Friendship Road, and Southwest Boulevard.
  - Our office has completed the land survey of the roadways. Engineering design is in progress.
3. FY2024 NJDOT Municipal Aid - Reconstruction of Summer Road
- The Borough has been notified by the NJDOT that \$269,995.00 in FY2024 Grant funds have been awarded for the reconstruction of Summer Road.
  - Our office has completed the land survey of the roadways. Engineering design is in progress.
4. CDBG ADA Building Improvements
- a. Our office met with Jerry Blackman of OSK Architects last month. Our office has submitted a proposal to the Borough to prepare the design for bidding.

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**NEXT MEETING: MONDAY, FEBRUARY 26, 2024 AT 7:00 PM**

**MEETING ADJOURNED: M/ \_\_\_\_\_ S/ \_\_\_\_\_ ALL IN FAVOR? ANY  
OPPOSED**

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**RESOLUTION NO. 45-24**

**A RESOLUTION ACCEPTING THE RESIGNATION OF LEOBARDO E. CALIXTO  
EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Buena that the following resignation be regrettably accepted effective immediately:

Leobardo E. Calixto

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**RESOLUTION NO. 46-24**

**RESOLUTION INCREASING  
CLERK'S CHANGE FUND**

**WHEREAS**, N.J.S.A. 40A:5-21 Authorizes the establishment of a change fund in any county or municipality by resolution, and;

**WHEREAS**, it is in the desire of the Borough Council of the Borough of Buena to increase the Municipal Clerk's change fund to the amount of \$200.00, and

**WHEREAS**, the custodian for this fund is Cynthia Holland, who is bonded for the amount of \$1,000,000.00; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures. The fund shall be in the Municipal Clerk's Office to make change for Dog Licenses, Vital Statistics and miscellaneous fees; and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Buena hereby authorizes such action.

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**RESOLUTION NO. 47-24**

**A RESOLUTION TO APPOINT FUND COMMISSIONERS TO THE SOUTHERN  
COASTAL REGIONAL EMPLOYEE BENEFITS FUND**

**BE IT RESOLVED** by the Borough of Buena that **Cindi Holland** is hereby appointed as Fund Commissioner to the Southern Coastal Regional Employee Benefits Fund, effective January 25, 2024, to represent the **Borough of Buena**.

**and**

**BE IT FURTHER RESOLVED** that **Maryann Coraluzzo** be and is appointed as Alternate Fund Commissioner to the Southern Coastal Regional Employee Benefits Fund effective January 25, 2024.

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**RESOLUTION NO 48-24**

**RESOLUTION OF SUPPORT OF BILL CONCERNING RENT INCREASES FOR  
RESIDENTIAL TENANTS RESIDING IN CERTAIN DWELLING UNITS THAT ARE  
MODULAR OR MANUFACTURED HOMES**

**WHEREAS**, the **Borough of Buena, Atlantic County, New Jersey**, is committed to ensuring affordable housing for its residents and acknowledges the importance of stable housing markets; and

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**WHEREAS**, in aid of this commitment, the **Borough Council**, under the guidance of Mayor Joseph Baruffi, enacted a rent leveling ordinance in September 2023, reflecting a dedication to safeguarding residents from excessive rent increases; and

**WHEREAS**, a Bill concerning rent increases for residential tenants residing in certain dwelling units that are modular or manufactured homes, and supplementing chapter 27D of Title 52 of the Revised Statutes, is currently under consideration, echoing the principles of Buena Borough’s own rent leveling ordinance; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Buena, County of Atlantic, State of New Jersey that:

1. The Council hereby declares its support for the aforementioned Bill, recognizing its potential to enhance the affordability and stability of housing within the State of New Jersey, particularly for residents of modular or manufactured homes.
2. The Council appreciates the synergy between the Bill and the Township’s initiatives, especially the rent leveling ordinance implemented in September 2023, underscoring a united effort to protect tenants from undue rent hikes and to foster housing affordability.
3. The Council urges the swift passage of this Bill, highlighting its significant benefits for the community of Buena Borough and the State of New Jersey at large.
4. The Mayor, Joseph Baruffi, is hereby authorized to sign any and all documents necessary for sponsoring and supporting the enactment of this Bill, affirming the Borough’s commitment to this legislative initiative.
5. A copy of this resolution shall be disseminated to the relevant legislative representatives and to Mayor Joseph Baruffi, as a testament to Buena Borough’s endorsement and advocacy for this critical legislation.

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**RESOLUTION NO. 49-24**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EXTENSION AGREEMENT WITH ATLANTIC COUNTY REGARDING THE MAINTENANCE AND INSTALLATION OF FLASHING SIGNAL EQUIPMENT**

**WHEREAS**, The Borough of Buena and the County of Atlantic wish to enter into an agreement for the purpose of setting mutual understandings regarding installation and maintenance of flashing signal equipment, and;

**WHEREAS**, the Municipality and the County desire to enhance vehicular movement along the county road described herein, and also desire to enhance the ingress and egress to the facilities and improvements located along said County road, as also described below. The County and the Municipality therefore desire to cooperatively develop, install, maintain and operate flashing traffic signal equipment in accordance with the general specifications to be developed by the Atlantic County Engineer (the “Improvements”), and;

**WHEREAS**, flashing traffic signal equipment shall be installed along the County right-of-way at the following locations:

- A. Minotola Fire Company, Wheat Road (CR 619), Buena Borough
- B. Dr. JP Cleary Middle School, Central Road (CR 627), Buena Borough.

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Buena, that the Mayor is hereby authorized to execute an agreement with Atlantic County for the purpose of maintenance and installation of flashing signal equipment expiring on February 2, 2026.

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**RESOLUTION NO. 50-24**

**A RESOLUTION ACCEPTING THE RESIGNATION OF RECREATION  
COMMISSIONER DIANA WILCOX**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Buena that the following resignation be regretfully accepted effective immediately:

Diana Wilcox

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**RESOLUTION NO. 51-24**

**NJDCA LOCAL RECREATION IMPROVEMENT APPLICATION**

**WHEREAS**, the Borough of Buena desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000 to carry out a project to improve the basketball courts, batting cages, and tennis courts at Bruno Melini Park.

**BE IT THEREFORE RESOLVED,**

- 1) that the Borough of Buena does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Buena and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

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**RESOLUTION NO. 52-24**

**A RESOLUTION APPROVING A SUBDIVISION MAP FILE DESCRIBING A STREET  
TO BE KNOWN AS LEATHERWOOD DRIVE**

**WHEREAS**, Jersey Top Quality construction, LLC, a New Jersey Limited Liability Company, located at 2717 London Lane, Vineland, NJ 08361, has filed a petition with the Clerk of the Borough of Buena, requesting approval of a street to be known as Heatherwood Drive as shown on a subdivision map file with said Clerk; and

**WHEREAS**, it appears that Petition has complied with the statutory requirements in such particular cases; and

**WHEREAS**, said subdivision map has been approved by the Planning Board of the Borough of Buena as set for the in its decision and Resolution No. App. No. BB-23-05, dated September 26, 2023, as more fully appears by it approve affixed thereto.



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**NOW, THEREFORE, BE IT RESOLVED** by the council of the Borough of Buena; that the subdivision map referred to above to filed as aforesaid, describing Heatherwood Drive, be and the same as such is hereby approved.

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**RESOLUTION NO. 53-24**

**A RESOLUTION AUTHORIZING THE CFO TO REFUND A DEVELOPERS  
ESCROW BALANCE IN THE AMOUNT OF \$75.00 TO ALINE CORNEW**

**WHEREAS**, Aline Cornew remitted monies for escrow in the Developers Escrow fund in the amount of \$750.00 to the Borough of Buena Land Use office. The review of a Bulk Variance has been reviewed and billed leaving a \$75.00 balance in escrow.

**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 \$75.00 held in escrow.

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**RESOLUTION NO. 54-24**

**RESOLUTION TO AMEND TRANSFER APPROPRIATION BALANCES  
TRANSFER RESOLUTION**

**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 retroactive to February 12, 2024:

**TRANSFER FROM**

Public Bldg/Grds OE \$125.00

**TOTAL TRANSFER        \$125.00**

**TRANSFER TO**

Land Use OE            \$125.00

**TOTAL TRANSFER        \$125.00**

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**RESOLUTION NO 55-24  
BOROUGH OF BUENA  
2023 EMERGENCY TEMPORARY BUDGET**

**WHEREAS**, an emergent condition has arisen with respect to providing appropriation for expenditures and no adequate provision has been made in the 2024 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

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**WHEREAS**, the total emergency temporary resolutions adopted in the year 2024 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40A:4-20) including this resolution total \$1,597,695.50

**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 2023 municipal budget as adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations shall constitute the Borough of Buena 2024 Temporary Budget:

**General Government:**

**Computer Operations**

Other Expenses 8,600.00

**Public Safety**

**Fire Department**

Other Expenses 150,000.00

**Statutory Expenditures:**

PERS 108,482.00

PFRS 6,997.00

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**RESOLUTION NO. 56-24**

**A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AMENDING RESOLUTION 50-15 AUTHORIZING PAYMENTS FOR POST RETIREMENT MEDICAL BENEFITS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 48 (N.J.S.A. 2:14-17.38) AND PROVIDING FOR PAYMENTS OF POST MEDICAL BENEFITS IN ACCORDANCE WITH PLANS AUTHORIZED BY THE BOROUGH THAT ARE EQUAL TO OR BETTER THAN THOSE PROVIDED THROUGH STATE HEALTH BENEFITS PROGRAM**

**WHEREAS**, on March 20, 1974, Borough Council adopted a Resolution adopting the provisions of Chapter 111, Public Laws of 1973 permitting the Borough to pay the premium charges for certain eligible pensioners and their dependants and to pay Medicare charges for such retirees and their spouses covered by the New Jersey State Health Benefits Program; and

**WHEREAS**, on April 27, 2015, Borough Council adopted Resolution 50-15 discontinuing payments for post-retirement medical benefits for all employees hired subsequent to June 1, 2015 but continuing the payment of post-retirement medical benefits of employees or retirees who qualified for those payments under any Chapter 88 or 48 Resolution adopted previously by the Borough Council; and

**WHEREAS**, the Council of the Borough of Buena has determined it to be in the best interest of the Borough to consider terminating its participation under the State Health Benefit Program (SHBP) and to provide health benefits with providers equal to or better than the present SHBP and have adopted a Resolution terminating participation therein; and

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**WHEREAS**, the Governing Body recognizes and acknowledges its obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any previously adopted Chapter 88 or Chapter 48 Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that Resolution 50-15 shall be amended as follows:

A. Paragraph 2 shall be deleted in its entirety and replaced as follows

2. The Borough of Buena vacates and discontinues the provisions of N.J.S.A. 52:14-17.38.

B. Paragraph 6 shall be deleted in its entirety and replaced as follows:

6. The Borough of Buena acknowledges that this Resolution will remain in effect until properly amended. The Borough further recognizes that the Borough is responsible for providing the payment for post-retirement medical coverage for all employees as listed in Resolution No. 50-15 for all employees who qualify for this coverage while this Resolution is in force and the Borough shall provide benefits through qualified providers with coverage equal to or better than the State Health Benefits Program in effect at the time of the adoption of this Resolution