

BOROUGH OF BUENA  
 REGULAR COUNCIL MEETING  
 AGENDA  
 APRIL 24, 2017

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

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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

**SUNSHINE LAW:** This meeting is being held in compliance with the Open Public Meetings Act and notices of this meeting have been provided, via email, to The Press of Atlantic City, The Daily Journal and The Atlantic County Record on November 17, 2016, as well as having been posted on the bulletin board at Borough Hall.

**MAYOR'S REPORT:** First order of business.

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

**PUBLIC HEARING:** 2017 MUNICIPAL BUDGET

**PUBLIC HEARING OPENED:**  
 M \_\_\_\_\_ S \_\_\_\_\_

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

**DISCUSSION:**

**PUBLIC HEARING CLOSED:**  
 M \_\_\_\_\_ S \_\_\_\_\_

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

**RESOLUTION 57-17      RESOLUTION OF THE BOROUGH OF BUENA,  
COUNTY OF ATLANTIC, AUTHORIZING THE MAYOR  
TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH THE  
LAW FIRM OF NEHMAD, PERILLO AND DAVIS, PC, EGG HARBOR  
TOWNSHIP, NEW JERSEY FOR SPECIAL COUNCIL  
REGARDING POLICE SERVICES  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, NJSA 40A: 65-1 et seq., The Shared Services and Consolidation Act permits shared services agreement between local units for particular purposes so as to effectuate circumstances intended to reduce property taxes through the reduction of local expenses; and

**WHEREAS**, the Borough of Buena is presently considering a possible Shared Services Agreement with the City of Vineland for police services as a cost saving measure for the taxpayers of the Borough of Buena in accordance with NJSA 40A: 65-1 et seq.; and

**WHEREAS**, the Borough Council finds it appropriate to acquire professional legal services to negotiate, represent and advise Borough Council regarding the possible execution of a Shared Services Agreement for police services; and

**WHEREAS**, the law firm of Nehmad, Perillo and Davis, PC, Egg Harbor Township, New Jersey (Law Firm) is a New Jersey law firm with experience in negotiating and preparation of Shared Service Agreements by and between municipalities and has submitted a proposal to provide such services At an hourly rate of \$225 in an amount not to exceed \$7500;

**WHEREAS**, the Law Firm has completed and submitted a Business Entity Disclosure Certification for Non Fair and Open Contract which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Borough of Buena in the previous one year and That the Contract Will Prohibit the Law Firm from Making Any Reportable Contributions through the Term of the Contract or Its Extension to a Political or Candidate Committee in the Borough of Buena; and

Whereas, the Availability of Funds for Said Professional Service Agreement to Be Awarded have been certified by the Chief Financial Officer; and

**WHEREAS**, the Local Public Contract Law (N.J.S.A. 40a:11-1, et seq.) requires that the Resolution authorizing the award of contract for professional services without competitive bidding and the contract itself must be available for public inspection; and

**WHEREAS**, the Council of the Borough of Buena finds it to be in the best interest of the Borough to authorize the mayor to seek said appropriation.

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

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to NJSA 19:44A-20.5 with the law firm of Nehmad, Perillo, and Davis, PC, Egg Harbor Township, New Jersey 4 professional services as special counsel regarding a shared services agreement for police service in the Borough of Buena in an amount not to exceed \$7500, for specified services for a contract not to exceed one year beginning April 25, 2017 with an hourly rate billable at \$225.

2. That this Professional Services Agreement is awarded without competitive bidding in accordance with NJSA 40A: 11-5 (1) (a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged a formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. That the Business Disclosure Entity Certification, the Political Contribution Disclosure Form and that the Determination of Value be placed on file with this Resolution.
4. That a notice of this action shall be printed once in the official newspaper of the Borough of Buena.

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

**RESOLUTION 58-17      2017 EMERGENCY TEMPORARY BUDGET**  
**M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, an emergent condition has arisen with respect to providing appropriation for expenditures and no adequate provision has been made in the 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 \$1,889,522.79:

**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><b>2017</b></u>
<b>General Government:</b>	
<b>Finance</b>	
Other Expenses	\$ 2,000.00
<b>Computer Operations</b>	
Other Expenses	\$ 5,000.00
<b>Tax Assessor</b>	
Other Expenses	\$ 1,000.00
<b>Audit Contract Services</b>	
Other Expenses	\$10,000.00
<b>Insurance:</b>	
<b>Health Insurance</b>	\$60,000.00
<b>Workers Compensation</b>	\$60,000.00
<b>Health &amp; Human Services:</b>	
Dog Regulation	\$ 6,000.00
<b>Public Works:</b>	
Trash O/E	\$65,000.00

**Utility Expenses & Bulk Purchases:**

Gas Heat/Heating Fuel	\$ 4,000.00
Gasoline/Diesel	\$12,000.00
Electric	\$20,000.00
Telephone	\$ 6,000.00
Street Lighting	\$14,000.00

**Statutory Expenditures:**

DCRP	\$ 500.00
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	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
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ALVAREZ				
MCAVADDY				

**RESOLUTION 59-17      A RESOLUTION OF BOROUGH OF BUENA AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**  
**M      S**

**WHEREAS**, Borough of Buena has determined to move forward with the EMEX Reverse Auction in order procure electricity for Borough of Buena; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

**WHEREAS**, Borough of Buena will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at [www.energymarketexchange.com](http://www.energymarketexchange.com); and

**WHEREAS**, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

**WHEREAS**, the auction will be conducted pursuant to the Act; and

**WHEREAS**, if the auction achieves a price of [\$0.051 kWh or less for a for a 12 month term, a price of \$0.051 kWh or less for an 18 month term, or a price of \$0.051 kWh or less for a 24 month term; Borough of Buena may award a contract to the winning supplier for the selected term].

**NOW THEREFORE BE IT RESOLVED**, that the Administrator and/or Finance Officer of the Borough of Buena is hereby authorized to execute on behalf of the Borough of Buena any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of [\$0.051 kWh or less for a 12 month term, a price of \$0.051 kWh or less for an 18 month term, or a price of \$0.051 kWh or less for a 24 month term; Borough of Buena may award a contract to the winning supplier for the selected term].

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MAROLDA				
WALKER				
BAKER				
MANCUSO				
ALVAREZ				
MCAVADDY				

**RESOLUTION 60-17      A RESOLUTION OF BOROUGH OF BUENA AUTHORIZING THE  
PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE  
ON AN ONLINE AUCTION WEBSITE  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, Borough of Buena has determined to move forward with the EMEX Reverse Auction in order procure electricity for Borough of Buena; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

**WHEREAS**, Borough of Buena will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

**WHEREAS**, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

**WHEREAS**, the auction will be conducted pursuant to the Act; and

**WHEREAS**, if the auction achieves a price of [\$0.084 kWh or less for a for a 12 month term, a price of \$0.083 kWh or less for an 18 month term, or a price of \$0.085 kWh or less for a 24 month term; Borough of Buena may award a contract to the winning supplier for the selected term].

**NOW THEREFORE BE IT RESOLVED**, that the Administrator and/or Finance Officer of the Borough of Buena is hereby authorized to execute on behalf of the Borough of Buena any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of [\$0.084 kWh or less for a 12 month term, a price of \$0.083 kWh or less for an 18 month term, or a price of \$0.085 kWh or less for a 24 month term; Borough of Buena may award a contract to the winning supplier for the selected term].

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BAKER				
MANCUSO				
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MCAVADDY				

**RESOLUTION 61-17      A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF  
ATLANTIC, AWARING A PROFESSIONAL SERVICES CONTRACT  
FOR MASTER PLAN REEXAMINATION TO REMINGTON & VERNICK  
ENGINEERS  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, the Borough of Buena is due for reexamination of its current Master Plan; and

**WHEREAS**, the Borough of Buena has requested a proposal for the necessary professional services from the Borough Engineer; and

**WHEREAS**, the Borough has received Proposal No. M2017-117 from Remington and Vernick; and

**WHEREAS**, the Borough intends upon moving forward with creating a timely revision of the existing Master Plan;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that the Borough of Buena award the revisions to Remington and Vernick Engineers in the amount not to exceed \$24,700 and to be completed not later than December 31, 2017, and in accordance with Proposal No. M2017-117.

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

**RESOLUTION 64-17      RESOLUTON AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY**  
**M        S**

**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.

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

**PERSONNEL:**

**RESOLUTION 62-07      A RESOLUTION OF THE BOROUGH OF BUENA REQUESTING A  
THIRTY DAY EXTENSION FROM NEW JERSEY CIVIL SERVICE FOR  
POLICE LIEUTENANT  
M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, the Borough of Buena has a New Jersey Civil Service "Certification of Eligibles" for Appointment for title code 02727, Police Lieutenant that expires 05/22/17; and

WHEREAS, the Buena Borough considering alternate possibilities for police protection; and

WHEREAS, the comparisons that are necessary to evaluate all possibilities may not be complete by 05/22/17;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that the request a thirty day extension from the New Jersey Civil Service Commission for Certification No. PL170232, Title Code 02727 Police Lieutenant beyond May 22, 2017.

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

**RESOLUTION 63-17      A RESOLUTION OF THE BOROUGH OF BUENA TEMPORARILY  
TRANSFERRING SELECTED RESPONSIBILITIES OF THE  
ADMINISTRATOR.  
M \_\_\_\_\_ S \_\_\_\_\_**

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 ;

**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.

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

**ADMINISTRATORS' S REPORT:**

**SOLICITOR'S REPORT:**

**COMMITTEE REPORTS:**

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

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

RECREATION .....CHAIRWOMAN ROSALIE M. BAKER, JORGE  
ALVAREZ, MATTHEW WALKER

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

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

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

**CLERK'S REPORT:**

Minutes of the regular meeting of April 10, 2017. If no corrections or additions, entertain a motion to approve M \_\_\_\_\_ S \_\_\_\_\_

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

**CORRESPONDENCE:**

- Kenneth Barbagli requesting approval for placement of a 34' 5<sup>th</sup> Wheel trailer on his property for six months.  
M \_\_\_\_\_ S \_\_\_\_\_

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



**Need motion to file correspondence M \_\_\_\_\_ S \_\_\_\_\_**

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

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**BILLS PAID AS LISTED: M \_\_\_\_\_ S \_\_\_\_\_**

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

**NEXT MEETING: May 8, 2017**

**MEETING ADJOURNED: M \_\_\_\_\_ S \_\_\_\_\_**

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