

BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
DECEMBER 11, 2017

1

MEETING CALLED TO ORDER: P.M.

MEETING ADJOURNED: P.M.

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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

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

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

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

**ORDINANCE NO. 654 NEED MOTION TO OPEN THE PUBLIC HEARING ON:**

**AN ORDINANCE AMENDING ORDINANCE 644 THE SALARIES AND WAGES RANGES OF MUNICIPAL OFFICIALS AND EMPLOYEES OF THE BOROUGH OF BUENA FOR THE YEAR 2017**

**M \_\_\_\_\_ S \_\_\_\_\_**

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,

Qualified Purchasing Agent \$1,000.00-\$5,000.00

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

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**DISCUSSION:**

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

**M** \_\_\_\_\_ **S** \_\_\_\_\_

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MAROLDA				
WALKER				
BAKER				
MANCUSO				
ALVAREZ				
MCAVADDY				

**ORDINANCE 654 ADOPTED:**

**M** \_\_\_\_\_ **S** \_\_\_\_\_

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

**RESOLUTION 136-17     A RESOLUTION RE-APPOINTING MARY COOPER AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE BOROUGH OF BUENA EFFECTIVE DECEMBER 31, 2017 AND EXPIRING DECEMBER 30, 2022.**

**M** \_\_\_\_\_ **S** \_\_\_\_\_

WHEREAS, on January 1, 2018 the appointment of Mary Cooper will expire as a Commissioner of the Housing Authority of the Borough of Buena; and

WHEREAS, the Council of the Borough of Buena has determined to reappoint Mary Cooper to a full five year term as a Commissioner of the Housing Authority of the Borough of Buena.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA that Mary Cooper be and he is hereby appointed as a Commissioner of the Housing Authority of the Borough of Buena for a term of five years, commencing December 31, 2017 and expiring December 30, 2022.

BE IT FURTHER RESOLVED that the Clerk of the Borough of Buena is directed to forward a certified copy of this Resolution to the Executive Director of the Housing Authority of the Borough of Buena in order to advise the Authority of this appointment.

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
DECEMBER 11, 2017**

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MANCUSO				
ALVAREZ				
MCAVADDY				

**RESOLUTION 137-17     A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A CONTRACT WITH SHORE VETERINARIAN ANIMAL CONTROL SERVICES LLC FOR ANIMAL CONTROL SERVICES IN THE BOROUGH OF BUENA.**

**M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, Shore Veterinarian Animal Control Services, LLC has submitted a proposal for animal control services; and

WHEREAS, the Borough wishes to accept said proposal and to authorize the execution of a contract with Shore Animal Control Services, LLC; and

WHEREAS, the proposed contract has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Borough Clerk and available for public inspection; and

WHEREAS; Shore Veterinary Animal Control Services LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Shore Veterinarian Animal Control Services LLC has not made any contributions to a political or candidate committee in the Borough that would bar the award of this contract and that the contract will prohibit Shore Veterinarian Animal Control Services LLC from making any contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Clerk are hereby authorized, directed and empowered to execute a contract with Shore Veterinarian Animal Control Services, LLC to provide animal control services within the Borough commencing January 1, 2018.
3. Shore Veterinarian Animal Control Services, LLC has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Borough of Buena
4. This Contract is awarded without competitive bidding as a "professional service" in accordance with NJSA 40A:11-5(1) (a) of the

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
DECEMBER 11, 2017**

New Jersey Local Public Contracts Law because Shore Veterinarian Animal Control Services LLC has professional knowledge as to animal control services.

5. The Borough Council has award the contract without competitive bidding as a professional service pursuant to 40A:11-5(1) (a) to Shore Veterinarian Animal Control Services LLC for animal control services. This contract and resolution authorizing same shall be available for public inspection in the office of the Municipal Clerk, Borough of Buena.
6. Contract award is contingent upon a Certificate of Availability of Funds certified by the Chief Financial Officer.
7. The contractor has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Borough of Buena.
8. The Mayor and Clerk are hereby authorized and directed to execute, on behalf of the Borough, a Professional Contract with Shore Veterinarian Animal Control Services LLC, subject to and in accordance with the limitations imposed herein.
9. A notice of this contract award shall be published in the official newspaper of the Borough of Buena within 10 days from the date of adoption.
10. This Resolution shall be effective as of adoption.

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MAROLDA				
WALKER				
BAKER				
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MCAVADDY				

**RESOLUTION 138-17      A RESOLUTION AUTHORIZING EXCLUSION OF THE PUBLIC FROM A MEETING BETWEEN THE MAYOR AND BOROUGH COUNCIL, THE BOROUGH CLERK AND THE BOROUGH SOLICITOR CONCERNING PERSONNEL MATTERS- SPECIFICALLY MULTIPLE INSPECTOR VACANCIES, AND AUTHORIZING DISCLOSURE OF MINUTES OF SAID MEETING AS PROVIDED HEREIN.**

**M        S**

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
DECEMBER 11, 2017**

5

**WHEREAS**, N.J.S.A. 10:4-12, Open Public Meetings Act, permits the exclusion of the public from the meeting of a public body where the subject matter of that meeting involves pending or anticipated litigation and personnel matters in which the public body is or may become a party; and

**WHEREAS**, the Council of the Borough of Buena desires to meet with the Borough Clerk and Staff and the Borough's Solicitor, concerning the personnel matter of multiple inspector vacancies; and

**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 Mayor and Council of the Borough of Buena on Monday, December 11, 2017 at 616 Central Avenue, Buena, New Jersey, immediately following adjournment of the regular meeting of the Council of the Borough of Buena.
2. The general nature of the subject matters of the closed meeting shall pertain to personnel matters- specifically, multiple inspector vacancies
3. Disclosure of the minutes of the closed meeting authorized above between the Council of the Borough of Buena, the Borough Clerk and Borough Solicitor shall be made following a final decision and determination of said matter which is estimated to be 180 days.
4. The Clerk at the present public meeting shall read the title of said Resolution aloud so that members of the public in attendance can understand as precisely as possible the nature of the matter that will privately be discussed.
5. This Resolution shall take effect immediately.
6. The Clerk on the next business day following this meeting shall furnish a copy of the Resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1, et seq..

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
DECEMBER 11, 2017**

6

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**RESOLUTION 139-17     A RESOLUTION ACCEPTING THE RESIGNATION OF MATTHEW P. WALKER JR EFFECTIVE DECEMBER 14, 2017.**  
**M         S**

WHEREAS, Matthew P. Walker, Jr. served as a police officer with the Borough of Buena; and

WHEREAS, during his tenure, Matthew P. Walker, Jr. performed his duties in an efficient and professional manner; and

WHEREAS, Matthew P. Walker, Jr. has decided to resign effective December 14, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the resignation of Matthew P. Walker, Jr. be regretfully accepted effective December 14, 2017.

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

**RESOLUTION 140-17     A RESOLUTION AUTHORIZING THE BOROUGH OF BUENA TO ENTER INTO A CONTRACT WITH A RISK MANAGEMENT CONSULTANT AS REQUIRED BY THE BY-LAWS OF THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**  
**M         S**

WHEREAS, the Borough of Buena has resolved to join the Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the by-laws of said fund require that each Municipality appoint a Risk Management Consultant to perform various professional services as detailed by the by-laws; and

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
DECEMBER 11, 2017**

7

WHEREAS, the by-laws indicate that the Risk Management Consultant shall be paid a minimum fee equal to five percent (5%) of the municipal assessment, which expenditure represents reasonable compensation for the services required of the Risk Management Consultant, and was included in the cost considered by the Council and;

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders competitive bidding impractical and;

WHEREAS, the Council has determined that it may enter into a professional services contract with a Risk Management Consultant pursuant to N.J.S.A. 40A:11-5.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Buena does hereby appoint Michael D. Donato/Insurance Agencies Inc. as its Risk Management Consultant pursuant to the provisions of N.J.S.A. 40A:11-5.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause of notice of this decision to be published in accordance with N.J.S.A. 40A:11-5(1)(a)(i).

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**RESOLUTION 141-17**

**RESOLUTION TO AMEND TRANSFER APPROPRIATION  
BALANCES TRANSFER RESOLUTION #5  
M \_\_\_\_\_ S \_\_\_\_\_**

**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:

**TRANSFER FROM**

Clerk S/W	\$	300.00
Clerk O/E	\$	500.00
Governing Body S/W	\$	900.00

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
DECEMBER 11, 2017**

8

Finance S/W	\$ 650.00
Finance O/E	\$ 3,000.00
Computer Operations	\$ 3,500.00
Tax Assessor S/W	\$ 7,300.00
Tax Assessor O/E	\$ 1,000.00
Tax Collector	\$ 2,000.00
Administrator S/W	\$ 450.00
Administrator O/E	\$ 500.00
Buildings & Grounds O/E	\$ 6,000.00
Land Use Board S/W	\$ 1,000.00
Land Use Board O/E	\$ 1,500.00
Group Health Insurance	\$ 41,394.00
Police O/E	\$ 20,000.00
Streets & Roads S/W	\$ 16,000.00
Electrical Inspector S/W	\$ 225.00

**TOTAL TRANSFER                    \$106,219.00**

**TRANSFER TO**

Police S/W	\$ 25,450.00
EMS S/W	\$ 15,450.00
Construction S/W	\$ 164.00
Social Security	\$ 9,000.00
Unemployment	\$ 300.00
PERS	\$ 55,855.00

**TOTAL TRANSFER                    \$106,219.00**

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**RESOLUTION NO. 142-17      A RESOLUTION AMENDING THE LAND  
USE/CONSTRUCTION/FIRE AND QUALIFIED PURCHASING  
AGENT SALARIES FOR THE YEAR 2017  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, pursuant to a Salary Ordinance enacted prior to this Resolution, money was appropriated for the salaries and wages of municipal employees for the year 2017; and

**WHEREAS**, the Council of the Borough of Buena has determined to provide a salary increase for the Land Use/Construction/Fire and Qualified Purchasing Agent of the Borough of Buena;

**NOW, THEREFORE BE IT RESOLVED** BY THE COUNCIL OF THE BOROUGH OF BUENA

AS FOLLOWS;



**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
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DECEMBER 11, 2017**

A. That the following Borough employee shall receive the salary hereinafter set forth, current from December 11, 2017:

Valarie Santagata Jones, Land Use/Construction/Fire	\$37,500.00
Cynthia LoGuidice, Qualified Purchasing Agent	\$3,750.00

	AYE:	NAY:	ABSTAIN:	ABSENT:
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**ADMINISTRATORS' S REPORT:**

**ENGINEER' S REPORT**

**FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street**

We received the permit for the culvert replacement from the NJDEP. We are still awaiting word from The Pinelands Commission to determine if the project can proceed under the County's Memorandum of Agreement with The Commission. Kline Construction, Inc. signed the contracts and they were forwarded to the Borough for signature. Once the contracts are signed by the Borough, our office will schedule a pre-construction meeting.

A contract for the resurfacing project was awarded to Arawak Paving Company, Inc. at the May 8, 2017 Borough Council Meeting. The initial Payment Voucher was submitted to the NJDOT for processing. Executed contracts were sent to Arawak. The resurfacing component of the project will proceed once the culvert replacement is complete.

**Master Plan Re-Examination**

A meeting will be scheduled in the near future.

**Resurfacing of Forest Grove Road**

The Borough received \$196,000.00 in FY2016 NJDOT funding for the resurfacing of Forest Grove Road. The Borough did not receive FY2017 funding. A contract utilizing the FY2016 funds must be awarded by March 24, 2018 to avoid jeopardizing the funding. Pursuant to Borough authorization, our office is proceeding with the engineering for the first section.

**SOLICITOR' S REPORT:**

**COMMITTEE REPORTS:**

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

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

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
DECEMBER 11, 2017**

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 workshop meeting of November 13, 2017. If no corrections or additions, entertain a motion to approve M \_\_\_\_\_ S \_\_\_\_\_**

	AYE:	NAY:	ABSTAIN:	ABSENT:
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MCAVADDY				

**Minutes of the regular meeting of November 13, 2017. If no corrections or additions, entertain a motion to approve M \_\_\_\_\_ S \_\_\_\_\_**

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BOROUGH OF BUENA  
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 AGENDA  
 DECEMBER 11, 2017

Minutes of the regular meeting of 27, 2017. If no corrections or additions, entertain a motion to approve M \_\_\_\_\_ S \_\_\_\_\_

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
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**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

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

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
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**NEXT MEETING: Reorganization- January 3, 2018 at 6:00 p.m.**

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

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
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