

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

PAGE 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 16, 2017, 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. 663 NEED MOTION TO OPEN THE PUBLIC HEARING ON:**

**AN ORDINANCE AMENDING ORDINANCE NO. 542 ESTABLISHING THE LAND USE BOARD OF THE BOROUGH OF BUENA TO CONSOLIDATE THE FUNCTIONS OF THE PLANNING BOARD AND ZONING BOARD AND ESTABLISHING THE PROCESS FOR THE APPOINTMENT OF ITS MEMBERS, STAFF AND PROFESSIONALS FOR ITS PROPER OPERATION**

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

**WHEREAS**, on December 11, 2006, the Borough Council adopted Ordinance 542 an Ordinance combining the Zoning Board and Planning Board into one single Land Use Board so as to save costs incurred for support staff and professionals for two boards as well as providing for more expeditious resolutions to development applications as permitted in accordance with N.J.S.A. 40:55D-25(c)(1); and

**WHEREAS**, Ordinance 542 specifies at Section 4 B. that Borough Council "may employ or contract for and fix compensation of an attorney, an engineer and such experts and staff as it may deem necessary for the proper operation of the Land Use Board.. the appointment of all staff members, including that of the attorney for the Land Use Board shall be made by the Mayor with consent of Council effective January 1 of each year for a one year term or until the qualification and appointment of a

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 2**

successor.”; and

**WHEREAS**, N.J.S.A. 40:55D-25 c.(1) states “In a municipality having a population of 15,000 or less, a nine member planning board, if so provided by Ordinance, shall exercise, to the same extent and subject to the same restrictions, all of the powers of a board of adjustment...” and N.J.S.A. 40:55D-24 as to the Planning Board and N.J.S.A. 40:55D-70 as to the Zoning Board specifies each Board shall have the authority and duty to “elect a chair, vice chair from their members as well as employ or contract for, and fix the compensation of legal counsel, other than the Municipal Attorney, and experts and other staff and services as it may deem necessary, not exceeding...the amount appropriated by the governing body for its use.” And therefore the appropriate appointing authority for the Land Use Board to employ and compensate its legal counsel, experts, including its Engineer and other staff and services is the Land Use Board; and

**WHEREAS**, the Council of the Borough of Buena intends upon correcting the error in Ordinance No. 542 so as to comply with State Statute.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Buena that Ordinance 542, Section 4 B be deleted in its entirety and replaced as follows:

Section 4 B. The Land Use Board may employ or contract for and fix compensation of an attorney, other than the Borough Attorney, an engineer and such experts and staff and services as it may deem necessary, not exceeding, exclusive of gifts or grants, the amount appropriated by the Borough Council for its use. The Governing Body shall make provision in its budget and appropriate funds for the expenses of the land Use Board as it may deem necessary for the proper operation of the Land Use Board.

**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.

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

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

**DISCUSSION:**

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

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

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 3**

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

**ORDINANCE 663 ADOPTED:**

**M\_\_\_\_\_S\_\_\_\_\_**

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

**ORDINANCE NO. 664      NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:**

**AN ORDINANCE AMENDING ORDINANCE 635 THE SALARIES AND  
WAGES RANGES OF MUNICIPAL OFFICIALS AND EMPLOYEES OF  
THE BOROUGH OF BUENA FOR THE YEAR 2018  
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,

Mayor	\$ 8,112.00 – \$ 8,800.00
Council	\$ 4,161.00 – \$ 4,525.00
Administrator	\$20,000.00 – \$55,000.00
Municipal Clerk	\$30,000.00 – \$50,000.00
Tax Collector	\$30,000.00 – \$50,000.00
Deputy Municipal Clerk	\$27,000.00 – \$39,000.00
Chief Financial Officer	\$40,000.00 – \$60,000.00
Qualified Purchasing Agent	\$ 1,000.00 – \$ 5,000.00
Tax Assessor	\$ 7,900.00 – \$10,000.00

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 4**

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
Road Supervisor	\$50,000.00 – \$75,000.00
EMS Chief	\$40,000.00 – \$63,672.00
EMS Captain	\$63,673.00 – \$69,000.00
Director Emergency Management	\$490.00 – \$ 550.00
Clerk 1- Full Time	\$25,000.00 – \$29,999.00
Clerk 2 - Full Time	\$30,000.00 – \$39,999.00
Clerk 3 - Full Time	\$40,000.00 – \$52,000.00
Clerk 1 - Part Time	\$ 12.50 – \$ 16.00
Land Use Secretary	\$ 100.00 – \$ 125.00
Land Use Board Chairman	\$ 30.00 – \$ 33.00
Land Use Board Members	\$ 25.00 – \$ 28.00
Senior Part-Time EMS	\$ 14.57 – \$ 17.00
EMS – Part Time	\$ 12.48 – \$ 15.00
Substitute Fire Official	\$ 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 - \$ 28.00
Part-Time Road Laborers	\$ 10.00 – \$ 15.00

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 5**

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

**ORDINANCE NO. 665    NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:**

**AN ORDINANCE AMENDING ORDINANCE 593, AS AMENDED,  
ARTICLE XXVII, SECTION 35-95 OF THE CODE OF THE  
BOROUGH OF BUENA ENTITLED BOROUGH ADMINISTRATOR  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, the Council of the Borough of Buena adopted Ordinance 592 creating the position Borough Administrator for the efficient operation of the administration of the Borough of Buena; and

**WHEREAS**, Borough Council set the hours to be served in the position as not more than 20 hours on average per week; and

**WHEREAS**, the duties and obligations of the Borough Administrator have increased and it is clear that the position will require more than 20 hours per week to be effective.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Buena that Article XXVII, Section 35-95 be deleted in its entirety and replaced as follows:

Section 35-95. The office of the Business Administrator is hereby established pursuant to N.J.S.A. 40A:9-136 et seq. Said position to be a part-time position of not more than a gross number of hours equal to a calculation based upon 20 hours per week times 48 weeks in the calendar year of service. At no time shall the Business Administrator work in excess of 29 hours in any week. The hours shall be flex to be used in the discretion of the Administrator unless otherwise directed by the Mayor, however all flex hours accumulated must be taken within 2 weeks of acquiring the same.

**BE IT FURTHER ORDAINED** that the Business Administrator shall execute a Memorandum of Agreement setting forth the terms of employment, including the term of office, salary and hours of daily service among other terms.

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

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

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 6**

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MAROLDA				
WALKER				
BAKER				
MANCUSO				
ALVAREZ				
MCAVADDY				

**RESOLUTION 26-18      RESOLUTION TO CLOSE THE POLICE TRUST CHECKING  
(FORFEITURE) AND ISSUE FUNDS TO THE FRANKLIN TOWNSHIP  
POLICE FORFEITURE ACCOUNT  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, the Borough of Buena Police Department has been dissolved, the Atlantic County Prosecutor's office requires the Forfeiture account be turned over to the Franklin Township Police Department's Forfeiture account;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that the Police Trust (Forfeiture) Checking account be closed and the funds (\$352.52) from the account be issued to the Franklin Township Police Forfeiture account with the balance as of February 12, 2018.

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

**RESOLUTION 31-18      A RESOLUTION APPOINTING ALBERT J. JIANNOTTI AS A FULL-  
TIME STREETS AND ROADS LABORER 1 IN THE BOROUGH OF  
BUENA ROAD DEPARTMENT EFFECTIVE FEBRUARY 27, 2018.  
M \_\_\_\_\_ S \_\_\_\_\_**

BE IT RESOLVED by the Council of the Borough of Buena that Albert J. Jiannotti is hereby appointed to the position of full-time Laborer 1 in the Borough of Buena Road Department.

BE IT FURTHER RESOLVED that the hourly rate shall be \$20.00 per hour.

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 7**

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

**RESOLUTION 32-18      A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE  
A CONTRACT WITH TRIAD ASSOCIATES FOR GRANT CONSULTING  
SERVICES.**

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

WHEREAS, Triad Associates has submitted a proposal for grant consulting services; and

WHEREAS, the Borough wishes to accept said proposal and to authorize the execution of a contract with Triad Associates; 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; Triad Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Triad Associates 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 Triad Associates 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 Triad Associates to provide grant consulting services within the Borough retroactive to January 1, 2018 and terminating December 31, 2018.
3. Triad Associates 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 New Jersey Local Public Contracts Law because Triad Associates has

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 8**

professional knowledge as to grant consulting services.

5. The Borough Council has award the contract without competitive bidding as a professional service pursuant to 40A:11-5(1)(a) to Triad Associates. 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 Triad Associates, 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.

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

**RESOLUTION 33-18**

**A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, STATE OF NEW JERSEY APPOINTING PATRICK NEWTON AS PLUMBING SUB CODE OFFICIAL AND FIRE SUB CODE OFFICIAL  
M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, Patrick Newton is duly licensed and qualified to sure as Plumbing Sub Code Official and Fire Sub Code Official; and

WHEREAS, Patrick Newton has agreed to serve as the Plumbing Sub Code Official and Fire Sub Code Official for the Borough of Buena; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena, County of Atlantic, State of New Jersey as follows:



**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 9**

1. Patrick Newton is hereby appointed as the Plumbing Sub Code Official and the Fire Sub Code Official for the Borough of Buena, effective February 26, 2018.
2. Patrick Newton shall be paid bi-weekly at the annual rate of \$8,000 for the Plumbing Sub Code Official and \$4,000 for the Fire Sub Code Official for the Borough of Buena.
3. A certified copy of this resolution shall be submitted to the New Jersey Department of Community Affairs.

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

**RESOLUTION 34-18      2018 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 2018 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 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40A:4-20) including this resolution total \$1,881,401.00:

**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 2018 municipal budget as adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**2018**

**General Government:**

<b>Municipal Clerk's Office</b>	
Other Expenses	\$ 8,000.00
<b>Governing Body</b>	
Salary & Wages	\$ 1,000.00
<b>Finance Office</b>	
Salary & Wages	\$ 1,000.00
Other Expenses	\$ 8,000.00
<b>Computer Operations</b>	
Other Expenses	\$ 9,000.00
<b>Audit Contract Services</b>	
Other Expenses	\$ 10,000.00
<b>Tax Assessor</b>	
Other Expenses	\$ 1,000.00
<b>Tax Collector</b>	
Other Expenses	\$ 1,000.00
<b>Administrator</b>	
Salary & Wages	\$ 6,000.00
<b>Public Buildings &amp; Grounds</b>	

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 10**

	Other Expenses	\$ 20,000.00
<b>Insurance:</b>		
	Health Insurance	\$100,000.00
	General Insurance JIF/MEL	\$ 14,000.00
<b>Public Safety:</b>		
	<b>Emergency Management</b>	
	Salary & Wages	\$ 100.00
	<b>EMS</b>	
	Salary & Wages	\$ 65,000.00
<b>Streets &amp; Roads:</b>		
	<b>Road Repair &amp; Maintenance</b>	
	Salary & Wages	\$ 70,000.00
	Other Expenses	\$ 15,000.00
	<b>Trash &amp; Other Expenses</b>	
	Other Expenses	\$ 40,000.00
<b>Health &amp; Welfare:</b>		
	<b>Animal Control</b>	
	Other Expenses	\$ 2,000.00
<b>Uniform Construction Code:</b>		
	<b>Construction</b>	
	Salary & Wages	\$ 7,000.00
	Other Expenses	\$ 1,000.00
<b>Unclassified:</b>		
	<b>Utility Expenses:</b>	
	Gas Heat/Heating Fuel	\$ 3,000.00
<b>Statutory Expenditures:</b>		
	PERS	\$ 75,377.00
	PFRS	\$138,855.00
	DCRP	\$ 400.00
<b>Inter Local Services Agreements:</b>		
	Gloucester County 911	\$ 80,000.00
	Franklin Twp. Police	\$187,500.00

	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

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 11**

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 February 12, 2018. If no corrections or additions, entertain a motion to approve M \_\_\_\_\_ S \_\_\_\_\_

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

Minutes of the regular meeting of February 12, 2018. If no corrections or additions, entertain a motion to approve M \_\_\_\_\_ S \_\_\_\_\_

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

Minutes of the executive session of February 12, 2018. If no corrections or additions, entertain a motion to approve M \_\_\_\_\_ S \_\_\_\_\_

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
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**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 12**

**CORRESPONDENCE :**

1. Authorizing the Atlantic County Department of Public Works, Office of Mosquito Control, to perform aerial application of pesticides for areas deemed to have a high population of mosquitoes, being either a nuisance, a health hazard or both.

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

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

February 16, 2018

Mayor and Council  
Buena Borough  
616 Central Avenue  
Minotola, NJ 08341

RE: 2017 Safety Incentive Program Awards

Dear Mayor and Council:

It is our pleasure to report that the Buena Borough has earned **\$1,900.00** as a result of your employees' outstanding performance in the 2017 ACMJIF Safety Incentive Program. The Safety Incentive Program is intended to foster a safety attitude among the ACM JIF members, change behaviors to create a safer work environment, as well as promote continuing efforts to "Change the Culture". The awards were announced at the Safety Coordinator's and Claims Coordinator's Regional Training held on February 8, 2018, and will be celebrated during our Annual Safety Kickoff Breakfast scheduled for March 20, 2018.

The Safety Incentive Program required the execution of the "Safety Contract" and the completion of various reports confirming compliance with JIF safety criteria. These reports were evaluated by the JIF Safety Director to determine your municipality's compliance with these criteria.

During 2017, members competed against a set of standards established by the Executive Safety Committee to determine their awards. The JIF members were sorted into five size categories (XS, S, M, L, XL) based upon their annual JIF Assessment. Each member competed against the established standards to determine if they either qualify or not (Pass or Fail) for a Safety Incentive Program Award.

Due to your employees' efforts, Buena Borough has qualified (Passed!) for reimbursement of **\$1,900.00** to be used for recognition of your employees' safety accomplishments.

We would also like to extend our **CONGRATULATIONS** to your Fund Commissioner, William Nimohay, your Claims Coordinator, Maryann Coraluzzo, and all your employees who played an important role in achieving these results. Their dedication to the principles of the JIF has enabled them to effectively communicate the importance of the safety program and their continuing commitment to the safety of all employees. We ask that this letter be read at your next Council Meeting to acknowledge these efforts by your employees' and make these accomplishments part of the public record.

Guidelines on how to collect your award has been sent to your Fund Commissioner and Safety Coordinator. You can find additional information about the JIF Safety Program, Policies, and Safety Incentive Program Criteria, as well as the presentation given during the Safety Kickoff Breakfast, on the ACMJIF website, [www.acmjif.org](http://www.acmjif.org).

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
February 26, 2018**

**PAGE 13**

I once again want to thank you for your involvement and congratulate you and everyone involved in the JIF safety program for making *"Safety First in All We Say and Do"*!

Very truly yours,

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

**Paul J. Miola**

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: MARCH 12, 2018- WORKSHOP 6:00 P.M.  
REGULAR 6:30 P.M.**

**MEETING ADJOURNED: M\_\_\_\_\_S\_\_\_\_\_**

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