

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

Council Member	Present	Absent
ADAMS		
ALVAREZ		
ANDALORO		
BARSUGLIA		
DESTEFANO		
GIOVINAZZI		

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

MAYOR’S REPORT: FIRST ORDER OF BUSINESS.

RESOLUTION NO. 66-24 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, IN THE STATE OF NEW JERSEY, CONFIRMING AND RATIFYING THE APPOINTMENT OF KENNETH BARBAGLI AS FIRE CHIEF OF THE BUENA BOROUGH FIRE DEPARTMENT

MOTION: _____

SECOND: _____

RCV

Council Member	Aye	Nay	Abstain	Absent	Recuse
GIOVINAZZI					
ALVAREZ					
ADAMS					
BARSUGLIA					
ANDALORO					
DESTEFANO					

WHEREAS, on December 18, 2023, all volunteer fire services for the Borough of Buena were discontinued leaving the Borough residents without firefighting first responders placing life and property in jeopardy; and

WHEREAS, the Borough retained the services of T.J.Culleny to assist the Borough in its creation of a newly formed Buena Borough Volunteer Fire Department and began training, testing and certifying men, women and equipment to meet the stringent requirements of the Department of Community Affairs, Division of Fire Safety to assure the new department is ready and able to take up fire suppression and prevention services for the Borough and its residents; and

WHEREAS, on February 26, 2024, the Buena Borough Volunteer Fire Department was created and its members have been approved by the Division of Fire Safety to operate as a volunteer fire department on behalf of the Borough of Buena; and

WHEREAS, the Council adopted Resolution 65-24 appointing volunteer firefighters; and

WHEREAS, Section 18-2 of Ordinance No. 746 creating the Buena Borough Fire Department states:

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; and

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WHEREAS, pursuant to the by-laws of the Buena Borough Fire Department, the membership elected Kenneth Barbagli to serve as Fire Chief; and

WHEREAS, Kenneth Barbagli is duly qualified to serve as Fire Chief of the Buena Borough Fire Department.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the selection of Kenneth Barbagli to serve as Fire Chief of the Buena Borough Fire Department is hereby confirmed and ratified.

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:

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

Anyone wishing to address Mayor and Council please step forward and state your name for the record.

MOTION TO CLOSE PUBLIC PORTION:

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

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NEED MOTION TO OPEN THE PUBLIC HEARING ON:

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

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

DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING

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

ORDINANCE NO. 747 ADOPTED:

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

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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.

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:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
<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>
TOTAL	<u>\$450,000</u>	<u>\$450,000</u>

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.

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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 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.

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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.

NEED MOTION TO OPEN THE PUBLIC HEARING ON:

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

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

RCV

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DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING:

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

ORDINANCE NO. 748 ADOPTED:

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

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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 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 OPEN THE PUBLIC HEARING ON:

ORDINANCE NO. 749 AN ORDINANCE AMENDING ORDINANCE 721 THE SALARIES AND WAGES RANGES OF MUNICIPAL OFFICIALS AND EMPLOYEES OF THE BOROUGH OF BUENA FOR THE YEAR 2024

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

DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING

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

ORDINANCE NO. 749 ADOPTED:

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

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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
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

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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
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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CORRESPONDENCE:

Taste of Earth, LLC – Conditional Municipal License for Cannabis Retail Request for Extension of Time to Submit Application to Land Use Board

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

NEED MOTION TO FILE CORRESPONDENCE:

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

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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. 57-24** A RESOLUTION APPOINTING NICOLE KOCH TO THE POSITION OF FULL-TIME CLERK 1 TO ASSIST IN THE MUNICIPAL CLERK’S OFFICE AND IN THE STREETS & ROADS DEPARTMENT, EFFECTIVE MARCH 1, 2024
- **RESOLUTION NO. 58-24** A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND AN OVERPAYMENT IN THE AMOUNT OF \$49.60 AND TO CANCEL THE REMAINING TAXES IN THE AMOUNT OF \$60.45 TO MAKOS, ROBERT J & TRACIL OF BLOCK 206, LOT 11
- **RESOLUTION NO. 59-24** A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND AN OVERPAYMENT IN THE AMOUNT OF \$1,966.16 AND TO CANCEL THE REMAINING TAXES IN THE AMOUNT OF \$3,123.49 TO CANTONI, REV LIV TR L/E-J SHAFFER OF BLOCK 201, LOT 62
- **RESOLUTION NO. 60-24** A RESOLUTION AWARDDING A CONTRACT FOR SAMPLING AND ANALYSIS OF MONITORING WELLS AT THE BOROUGH OF BUENA SANITARY LANDFILL TO EUROFINS QC, IN THE AMOUNT OF \$\$15,895.00.
- **RESOLUTION NO. 61-24** A RESOLUTION OF THE BOROUGH OF BUENA RECOGNIZING LIBERTY DRIVE AS AN PRIVATE ROAD FOR MAIL DELIVERY AND 9-1-1 SERVICES.
- **RESOLUTION NO. 62- 24** RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR A FIRE DONATION TRUST FUND REQUIRED BY THE BOROUGH OF BUENA
- **RESOLUTION NO. 63-24** TO CANCEL OUTSTANDING CHECKS

- **BILLS PAID AS LISTED**

- **CLERK’S REPORT**
MINUTES OF THE SPECIAL MEETING OF JANUARY 16, 2024
MINUTES OF THE WORKSHOP AND REGULAR MEETING OF FEBRUARY 12, 2024

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

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COMMITTEE REPORTS:

***PLANNING/ZONING/INSPECTIONS.....CHAIRMAN, RICHARD GIOVINAZZI,
DOUGLAS ADAMS, JORGE ALVAREZ***

***FINANCE/TAX COLLECTOR/ASSESSOR.....CHAIRMAN, JORGE ALVAREZ,
MARINA BARSUGLIA, PATRICIA ANDALORO***

***PUBLIC SAFETY/STREET LIGHTS.....CHAIRMAN, DOUGLAS ADAMS,
RICHARD GIOVINAZZI, FRANK DESTEFANO***

***RECREATION.....CHAIRWOMAN MARINA BARSUGLIA,
PATRICIA ANDALORO, RICHARD GIOVINAZZI***

***BLDGS/GROUNDS/IMPROVEMENTS.....CHAIRWOMAN, PATRICIA ANDALORO,
DOUGLAS ADAMS, MARINA BARSUGLIA***

***ROADS/RECYCLING.....CHAIRMAN, FRANK DESTEFANO,
JORGE ALVAREZ, RICHARD GIOVINAZZI***

***PERSONNEL/ECONOMIC DEVELOPMENT.....MAYOR BARUFFI,
COUNCIL PRESIDENT, RESPECTIVE DEPARTMENT HEAD***

UNFINISHED BUSINESS:

NEW BUSINESS:

NEXT MEETING: WORKSHOP AND REGULAR MEETINGS MARCH 11, 2024

MEETING ADJOURNED: M/ _____ S/ _____ ALL IN FAVOR? ANY OPPOSED?

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RESOLUTION NO. 57A-24

A RESOLUTION APPOINTING NICOLE KOCH TO THE POSITION OF FULL-TIME CLERK 1 TO ASSIST IN THE MUNICIPAL CLERK’S OFFICE AND IN THE STREETS & ROADS DEPARTMENT, EFFECTIVE MARCH 1, 2024.

WHEREAS, Nicole Koch was appointed to the part-time position of Clerk 1 effective September 12, 2023; and

WHEREAS, during her tenure, Nicole Koch performed her duties in a competent and professional manner; and

WHEREAS, the Council of the Borough of Buena recognizes the need for additional clerical assistance in the Office of the Municipal Clerk and in the Streets and Roads Department; and

WHEREAS, Nicole Koch is qualified to serve in the capacity of Full-Time Clerk 1; and

WHEREAS, Nicole Koch will work the following schedule:

Monday, Wednesday & Friday 8:30 a.m. – 4:00 p.m. in the Office of the Municipal Clerk.

Tuesdays and Thursdays 8:30 a.m. – 10:30 a.m. shall be dedicated to the Streets and Road Department. Duties dedicated to the Streets and Roads department will be performed, whenever possible, in the Office of the Municipal Clerk. Ms. Koch will perform her duties at the Borough Garage office on a case-by-case basis after consultation with the Administrator. Remaining hours will be dedicated to the Office of the Municipal Clerk.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that Nicole Koch is hereby appointed to the position of Full-Time Clerk 1, effective March 1, 2024 for thirty-two- and one-half hours (32 ½) per week at the prorated annual salary of \$30,420.00.

RESOLUTION NO. 58-24

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND AN OVERPAYMENT IN THE AMOUNT OF \$49.60 AND TO CANCEL THE REMAINING TAXES IN THE AMOUNT OF \$60.45 TO MAKOS, ROBERT J & TRACI L OF BLOCK 206, LOT 11.

WHEREAS, Block 206 Lot 11 is owned by Makos, Robert J & Traci L;

WHEREAS, the Tax Assessor has approved Mr. Makos to be a Totally Disabled Veteran as of 2/4/2024;

WHEREAS, Mr. Makos has requested a refund for taxes paid of \$49.60; and to cancel the remaining taxes in the amount of \$60.45

NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Tax Collector is hereby authorized to refund the amount of \$49.60 to Mr. Makos of Block 206, Lot 11 as requested.

RESOLUTION NO. 59-24

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND AN OVERPAYMENT IN THE AMOUNT OF \$1,966.16 and to cancel the remaining taxes in the amount of \$3,123.49 to Cantoni, Rev Liv Tr L/E- J Shaffer OF BLOCK 201, LOT 62

WHEREAS, Block 201 Lot 62 is owned by Cantoni, Rev Liv Tr L/E-J Shaffer and;

WHEREAS, the Tax Assessor has approved Mr. Shaffer to be a Totally Disabled Veteran as of 9/11/2023;

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WHEREAS, Mr. Shaffer has requested a refund for taxes paid of \$1,966.16; and to cancel the remaining taxes in the amount of \$3,123.49

NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Tax Collector is hereby authorized to refund the amount of \$1,966.16 to Mr. Shaffer of Block 201, Lot 62 as requested.

RESOLUTION NO. 60-24

A RESOLUTION AWARDED A CONTRACT FOR SAMPLING AND ANALYSIS OF MONITORING WELLS AT THE BOROUGH OF BUENA SANITARY LANDFILL TO EUROFINS QC, IN THE AMOUNT OF \$15,895.00.

WHEREAS, the Road Supervisor has solicited proposals for sampling and analysis of monitoring wells at the Borough of Buena Sanitary Landfill; and

WHEREAS, the lowest responsible proposal received was submitted by Eurofins QC, in the amount of \$15,895.00.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that a contract for laboratory analysis be and the same is hereby awarded to Eurofins QC, in the amount of \$15,895.00.

BE IT FURTHER RESOLVED, that the Mayor and the Clerk be and they are hereby authorized to execute a purchase order for the laboratory analysis in the amount of \$15,895.00 upon receipt of certification of funds from the Chief Financial Officer of the Borough of Buena, which shall be attached to this Resolution.

RESOLUTION NO. 61-24

A RESOLUTION OF THE BOROUGH OF BUENA RECOGNIZING LIBERTY DRIVE AS AN PRIVATE ROAD FOR MAIL DELIVERY AND 9-1-1 SERVICES.

WHEREAS, Liberty Village 2, located at 517 South West Boulevard is home to over forty-seven homes; and

WHEREAS, Liberty Village 2 is a private development; and

WHEREAS, Liberty Drive is a private road traversing the development; and

WHEREAS, the Mayor and Council of the Borough of Buena desires the easy and rapid location of properties by law enforcement, fire protection services, search and rescue, emergency medical services, and mail delivery to the residents of Liberty Village 2.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Buena that Liberty Drive, a private road, traversing Liberty Village 2, is hereby recognized.

RESOLUTION NO. 62- 24

RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR A FIRE DONATION TRUST FUND REQUIRED BY THE BOROUGH OF BUENA

WHEREAS, permission is required of the Director of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

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WHEREAS, the Borough of Buena provides for receipt of donations collected by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:5-29 provides the dedicated revenues anticipated from Fire Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Mayor and Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for the Fire Donations trust fund.
2. The Municipal Clerk of the Borough of Buena, County of Atlantic, State of New Jersey is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION NO. 63-24
TO CANCEL OUTSTANDING CHECKS**

WHEREAS, there exists an outstanding check in the Borough of Buena Payroll Account #2686368;

WHEREAS, it has been determined that these outstanding checks should be cancelled;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the Borough of Buena, in the County of Atlantic, New Jersey, that the list of outstanding checks be cancelled as of February 26, 2024;

Payroll Checking Account

<u>CHECK</u>	<u>AMOUNT</u>
41756	\$77.30
Total	\$77.30