



**BOROUGH OF BUENA  
SPECIAL MEETING  
JUNE 10, 2021  
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**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Borough is authorized to enact ordinances and pass resolutions for the protection of person and property and for the preservation of the public health, safety and general welfare of the municipality and its inhabitants; and,

**WHEREAS**, the Mayor and Council has deemed that it in the best interests of the public health, safety and welfare to further suspend the fire suppression operations of the Buena Borough Fire District Number One, and the Landisville Volunteer Fire/Rescue Company, Inc., for a period of \_\_\_\_ days for the following reasons:

- A. On November 18, 2020, the Landisville Volunteer Fire/Rescue Company, Inc. received a Notice of Order to Comply and abate nine (9) violations of the Public Employees Occupational Safety and Health Act from the New Jersey Department of Labor and Workforce Development as a result of an inspection of the site performed on October 16, 2020. Six (6) violations were found to be serious.
- B. On December 16, 2020, the State found nineteen (19) more violations at the site as a result of the inspection of October 16, 2020, thirteen (13) were found to be serious.
- C. On February 22, 2021, the Landisville Fire/Rescue Company Inc. received a letter from for the New Jersey State Department of Health stating that 13 out of 19 violations were abated. 6 serious violations were considered "Not Completed-Employer out of Business" because the fire suppression operations were currently suspended; and the case was closed. However, the state directed that it be notified if the fire company should be placed back in service because of the serious nature of the PEOSH health violations which remain unabated and that failure to notify PEOSH would result in the issuance of repeat/willful citations with applicable fines, if any, of the unabated serious PEOSH health violations cited prior to cessation upon resumption of operations.

**WHEREAS**, by Resolution dated December 14, 2021, the fire suppression operations of the Fire District Number One were suspended for a period of 90 days; and

**WHEREAS**, by Resolution dated March 11, 2021, the fire suppression operations of Fire District Number One were further suspended for a period of 90 days; and

**WHEREAS**, during this ninety- day period, the nine violations found in the November 18, 2020 Notice of Order to Comply were abated but 6 violations found in the December 16, 2020 Notice of Order continue to be outstanding; and

**WHEREAS**, the Buena Borough Fire District Number One, was created by Ordinance found in Chapter 18 of the Code of the Borough of Buena to serve the needs of the residents of the Borough of Buena; and,

**WHEREAS**, the Borough of Buena Fire District Number One contracted with the Landisville Volunteer Fire/Rescue Company, Inc., to provide fire suppression services on its behalf to the residents of the Borough; and

**WHEREAS**, all of the Brough of Buena Emergency Services organizations including the Borough of Buena Fire District Number One and the Landisville Volunteer Fire/Rescue Company, Inc., are named insureds on the insurance policies obtained and paid for by the Borough of Buena; and,

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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Buena, County of Atlantic and State of New Jersey that the fire suppression operations of the Buena Borough Fire District Number One, and the Landisville Volunteer Fire/Rescue Company Inc., shall be further suspended for another period of \_\_\_\_ days, effective from the date of passage of this resolution.

**BE IT FURTHER RESOLVED** that during the \_\_\_\_ day period of suspension, the following shall continue to be done:

1. All fire suppression duties during the \_\_\_\_ day period of suspension shall be performed by the Borough of Buena Board of Fire Commissioners Zone Two and the Minotola Fire District Commission.
2. All assets of the Borough of Buena Fire District Number One and the Landisville Volunteer Fire/Rescue Company, Inc., shall be frozen, except for the payment of salaries, LOSAP and routine monthly expenditures. No loans and/or CDs shall be opened or renewed during the \_\_\_\_ day suspension without Mayor and Council approval.
3. All members of the Borough of Buena Fire District Number One and the Landisville Volunteer Fire/Rescue Company, Inc, must return all operational equipment to the apparatus room at Station 11-1 and all such equipment, including but not limited to, vehicles, turnout gear, air packs, air bottles, portable radios, pagers and tools must be moved to the Apparatus Room with the exception of items in the outside storage buildings.
4. No member of the Buena Borough Fire District Number One and the Landisville Volunteer Fire /Rescue Company, Inc., shall respond to Station 11-1 or to the scene of any emergency call in any capacity during the \_\_\_\_ day period of suspension of operations.
5. No operational training or drills that require safety equipment shall be conducted during the \_\_\_\_ day period of suspension of operations.
6. No member of the Buena Borough Fire District Number One and the Landisville Volunteer Fire/Rescue Company, Inc., shall utilize, take out, loan or extend any equipment or apparatus at any time during the \_\_\_\_ day period of suspension, for any reason.
7. All current, auto-payment and future financial obligations, including LOSAP, are to remain in good-standing utilizing Buena Fire District Number One's funds. During the suspension period all financial obligations will be added to Mayor and Council's agenda for review and approval. No loans and/or CDs shall be opened or renewed during the \_\_\_\_ day suspension without Mayor and Council approval.
8. At the end of the \_\_\_\_ day suspension, Mayor and Council will determine further suspension and/or further action.

Meeting adjourned: M \_\_\_\_\_ S \_\_\_\_\_ All in favor? Any opposed?