

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
AGENDA
November 28, 2016**

**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 to The Press of Atlantic City, The Daily Journal and The Atlantic County Record, as well as having been posted on the bulletin board at Borough Hall.

MAYOR'S REPORT: First order of business.

**RESOLUTION 120-16 A RESOLUTION ESTABLISHING AND IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF VARIOUS PROFESSIONAL SERVICE AGREEMENTS.
M _____ S _____**

WHEREAS, the Borough Council of the Borough of Buena acknowledges the need for Professional Services to be provided to the Borough of Buena; and

WHEREAS, the Borough Council of the Borough of Buena has adopted Ordinance No.543, an Ordinance Restricting and Controlling the Award of Professional Service Agreements in the Borough of Buena which prohibits the award of a Professional Service Agreement where such professional has made a political contribution to a city elected official; and

WHEREAS, N.J.S.A. 19:44A-20.4 requires municipalities to adopt fair and open procedures for awarding professional service agreements which are otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Borough Council of the Borough of Buena believes it is in the best interest of the Borough of Buena to select professionals primarily on the basis of their qualifications, including qualifications uniquely suited to the needs of the Borough of Buena; and

WHEREAS, to receive statements of qualifications in a manner that fosters a fair and open process, it is necessary and advisable to establish advance general criteria and specific minimum requirements; and

WHEREAS, the Borough Council of the Borough of Buena has determined that a fair and open process requires public advertisement of professional services required in a manner and with sufficient time to provide notice in advance of the contemplation of retaining the services of a professional and the criteria to be considered in determining the best professional for the position; and

WHEREAS, a fair and open process requires that all responses be publicly opened and announced and thereafter that all appointments be made at a public meeting of the Borough Council and then published in accordance with N.J.S.A. 40A:11-5.

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

- 1) All appointments for Professional Services contained on Schedule A attached to and made a part hereof shall be subject to a fair and open process as set forth below.
- 2) The Borough Clerk shall cause all legal notices to be published on the website for the Borough of Buena stating that a full listing of all professional service appointments subject to a fair and open process together with the criteria established for the consideration of qualification, will be posted at Borough Hall beginning no later than December 5, 2016.
- 3) The criteria for each position contained on Schedule A follows immediately subsequent to the Listing on Schedule A. The criteria shall be disclosed, together with the posting of the listed positions at Borough Hall.
- 4) The website posting shall inform potential applicants that all submissions must be made to the Borough Clerk and received no later than 12:00 noon, December 19, 2016.
- 5) Commencing 12:01 p.m. on December 19, 2016, or as soon thereafter as may be available, the Borough Clerk of the Borough of Buena or her designee shall publicly open and announce all submissions in the Borough Council Chambers at Buena Borough Hall.
- 6) The appropriate department heads and the representatives from the appropriate boards shall thereafter review all submissions and report to the Mayor with recommendations.
- 7) Appointments shall thereafter be made at a public meeting of the Borough Council at their next meeting.

- 8) Subsequent to appointments, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

BE IT FURTHER RESOLVED that those positions included on Schedule A are those positions which the Borough of Buena Council reasonably believes shall be subject to appointment for the year 2017. However, all such appointments are subject to the availability of funds and the continuing needs of the Borough of Buena. Accordingly, inclusion of a position on Schedule A is not a representation or warranty that such position will be filled, but that if filled, it will be subject to the terms and conditions contained herein.

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Buena has determined that the terms of this Resolution constitute a fair and open process in accordance with N.J.S.A. 19:44A-20, et seq, and Ordinance No. 543 of the Borough of Buena.

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

**RESOLUTION 121-16 RESOLUTION TO AMEND TRANSFER APPROPRIATION BALANCES
TRANSFER RESOLUTION #2
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

Maintenance of Tax Map \$ 2,000.00
 Group Health Benefits \$ 6,500.00

TOTAL TRANSFER \$8,500.00

TRANSFER TO

Tax Assessor O/E \$ 700.00
 Legal O/E \$ 7,000.00
 Land Use Board O/E \$ 100.00
 Construction O/E \$ 100.00
 Unemployment \$ 600.00

TOTAL TRANSFER \$8,500.00

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

PERSONNEL:

**RESOLUTION 122-16 A RESOLUTION ACCEPTING THE RESIGNATION OF CHARLES FELLENBAUM FROM THE POSITION OF LAND USE BOARD MEMBER.
 M S**

WHEREAS, Charles Fellenbaum served as a member of the Land Use Board; and

WHEREAS, Charles Fellenbaum has decided to resign effective November 15, 2016.

WHEREAS, Mayor and Council would like to extend their gratitude to Charles Fellenbaum for his dedicated service to the Borough of Buena and our community.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the resignation of Charles Fellenbaum be regretfully accepted effective November 15, 2016.

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

RESOLUTION 123-16 A RESOLUTION APPOINTING JOHNATHON ALVAREZ TO THE POSITION OF BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY MEMBER ATTERNATE I TO FILL THE UNEXPIRED TERM OF JORGE ALVAREZ
M _____ S _____

WHEREAS, there presently exists a vacancy in the position of Buena Borough Municipal Utilities Authority Member Alternate I.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that Johnathon Alvarez is hereby appointed to the position of Borough of Buena Municipal Utilities Member, Alternate I, to fill the unexpired term of Jorge Alvarez (February 2, 2013 - February 1, 2018).

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

RESOLUTION 124-16 A RESOLUTION APPOINTING JEFFREY JOHNSTON TO THE POSITION OF BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY MEMBER EFFECTIVE NOVEMBER 28, 2016.
M _____ S _____

WHEREAS, there presently exists a vacancy in the position of Buena Borough Municipal Utilities Authority Member.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that Jeffrey Johnston is hereby appointed to the position of Borough of Buena Municipal Utilities Member, effective November 28, 2016 and expiring February 1, 2021.

	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
- BLDGS/GROUNDS/IMPROVEMENTS.....CHAIRMAN MATTHEW WALKER
GREG MCAVADDY, JORGE ALVAREZ
- FINANCE.....CHAIRWOMAN ROSALIE M. BAKER
JOSEPH MANCUSO, MATTHEW WALKER
- ECONOMIC DEVELOPMENT.....CHAIRMAN JOSEPH MANCUSO
ROSALIE M. BAKER, MATTHEW WALKER
- RECREATION.....CHAIRMAN JORGE ALVAREZ
ROSALIE M. BAKER, MATTHEW WALKER
- PUBLIC SAFETY/STREET LIGHTS..... CHAIRMAN GREG MCAVADDY
JORGE ALVAREZ, JEFFREY MAROLDA

PUBLIC PORTION OF MEETING:

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

CLERK'S REPORT:

Minutes of the regular meeting of November 14, 2016. If no corrections or additions, entertain a motion to approve 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: December 12, 2016

MEETING ADJOURNED: M _____ S _____

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