

**BOROUGH OF BUENA COUNCIL
REGULAR MEETING MINUTES
MONDAY, JUNE 23, 2025 6:30 P.M.
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MEETING CALLED TO ORDER: 6:30 P.M.
MEETING ADJOURNED: 7:32 P.M.

CALL MEETING TO ORDER: FLAG SALUTE

ROLL CALL OF ATTENDANCE:

<u>Council Member</u>	<u>Present</u>	<u>Absent</u>
GIOVINAZZI	<u>X</u>	<u> </u>
ALVAREZ	<u>X</u>	<u> </u>
ADAMS	<u>X</u>	<u> </u>
BARSUGLIA	<u>X</u>	<u> </u>
ANDALORO	<u>X</u>	<u> </u>
DESTEFANO	<u>X</u>	<u> </u>

ALSO IN ATTENDANCE: Nicole Koch, Clerk 1, Solicitor Tonetta, Administrator/Clerk Coraluzzo, Road Supervisor Nimohay

The regular meeting of Mayor and Council of the Borough of Buena was held June 23, 2025 commencing at 6:30 P.M. at the Borough Hall with Mayor Baruffi presiding. Mayor Baruffi announced that this meeting was 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 9, 2024 as well as being posted on the bulletin board in Borough Hall.

MAYOR’S REPORT: First order of business.

**Resolution No. 119-25
Accepting the Retirement of EMS Chief Ronda Ciruolo**

- Read by Council President Adams
- Motion: Adams
- Second: Barsuglia
- Roll Call Vote: Unanimous approval

PROCLAMATION: RHONDA CIRAOLLO

WHEREAS, the strength, safety, and well-being of our community are built upon the dedication, integrity, and selfless service of individuals who devote their lives to public service; and

WHEREAS, Rhonda Ciruolo has faithfully and honorably served the residents of the Borough of Buena and surrounding communities for more than three decades in vital public safety roles; and

WHEREAS, Rhonda Ciruolo began her distinguished public service career in September 1989 as a Dispatcher with the Buena Police Department, serving with professionalism, calm under pressure, and dedication for over 21 years, until December 2010; and

WHEREAS, in 2011, she continued her commitment to public safety by joining Buena Emergency Medical Services as a Supervisor, providing steadfast leadership and care to residents in their times of greatest need; and

WHEREAS, Rhonda Ciruolo, a proud graduate of Buena Regional High School, Class of 1988, has remained a devoted and respected member of the Buena community, embodying the values of service, compassion, and dependability throughout her career; and

WHEREAS, after many years of loyal and distinguished service, Rhonda Ciruolo is retiring, leaving behind a remarkable legacy of dedication, courage, and quiet heroism that will be remembered by her colleagues and the community she has so faithfully served.

NOW, THEREFORE, BE IT PROCLAIMED that I, Joseph Baruffi, Mayor of the Borough of Buena, on behalf of the Borough Council and all our residents, do hereby recognize and honor the outstanding career and invaluable contributions of Rhonda Ciruolo, and do proudly declare June 23, 2025 as: **RHONDA CIRAOLLO DAY**

Following the adoption of Resolution No. 119-25 and presentation of the Proclamation, several council members and community representatives shared personal reflections and tributes to EMS Chief Rhonda Ciruolo in recognition of her retirement:

Council members expressed deep appreciation for Rhonda’s lifelong dedication to public safety, highlighting her career which began in 1989 as a Dispatcher with the Police Department, where she served over two decades with grace under pressure and strong communication skills. Colleagues noted her natural ability to calm situations and provide reliable guidance, both on the radio and in person.

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Following her tenure in dispatch, Rhonda transitioned to Emergency Medical Services, where she continued serving the Borough with compassion and leadership. She was commended for her initiative in fundraising to modernize EMS equipment and for her tireless volunteer work during the early days of the EMS department when it was located on Atlantic Avenue.

Multiple speakers shared anecdotes about her kindness, personal connections with residents, and professionalism, noting how she often followed up with families even after calls, bringing a personal and human element to emergency services.

Mayor Baruffi and members of the Council expressed sincere thanks and acknowledged the legacy Rhonda leaves behind — one built on dedication, care, and community service. Her retirement is seen not only as the close of a remarkable chapter but also as a reminder of the impact one individual can have on an entire town. Council members joined together in wishing Rhonda a happy, healthy, and fulfilling retirement.

A copy of the proclamation declaring June 23, 2025 as “Rhonda Ciraolo Day” was presented to her, and a framed copy will be placed in Borough Hall as a lasting testament to her service.

Resolution No. 120-25

Accepting the Resignation of Justen Talarico from the Recreation Commission

- Motion: Adams
- Second: Andaloro
- Roll Call Vote: Unanimous approval

Resolution No. 121-25

Appointing Justen Talarico as Alternate I Member to the Municipal Utilities Authority

- Motion: Adams
- Second: Barsuglia
- Roll Call Vote: Unanimous Approval

Mayor Baruffi commended Justen’s leadership during his three years on the Recreation Commission, including organizing the Borough’s 75th anniversary celebration.

Resolution No. 122-25

Provisionally Appointing Angel Calixto-Gomez to Supervising EMT Effective July 1, 2025

- Motion: Adams
- Second: Barsuglia
- Roll Call Vote: Unanimous Approval

Formal swearing-in will take place at the July 14, 2025 meeting.

Resolution No. 123-25

Authorizing a Memorandum of Agreement with Angel Calixto-Gomez as Supervising EMT

- Motion: Adams
- Second: Alvarez
- Roll Call Vote: Unanimous Approval

MAYOR’S UPDATE:

Mayor Baruffi discussed an upcoming meeting on Wednesday with Councilwoman Andaloro, Road Supervisor Nimohay, and a solar company regarding the landfill closure and potential solar energy installation. He noted previous contact with Mayor Fanucci of Vineland on similar topics, although there had been limited follow-up. A new company has since expressed interest in financing the landfill closure and installing solar energy infrastructure under a potential profit-sharing model. Further details are expected to be shared at the July 14, 2025, meeting.

He also requested that council members submit mid-year committee summaries, which will be included in the July newsletter that accompanies the tax bills. Mayor Baruffi confirmed that the county tax rate has not yet been struck, which may delay the next billing cycle. However, resolution language has been included to ensure that taxpayers are not penalized for late bills.

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; HE/SHE CANNOT YIELD TIME TO ANOTHER INDIVIDUAL; HE/SHE 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

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Public Portion was opened:

- Motion: Barsuglia
- Second: Andaloro
- Roll Call Vote: Unanimous Approval

John Cowell, of Turnersville, addressed the Council on behalf of the Minotola Methodist Church regarding a subdivision project requiring a 12-foot-wide alleyway, which is adjacent to church property. Mr. Cowell noted that the subdivision approval granted earlier this year by the Land Use Board was conditioned upon acquisition of the alleyway.

He expressed concern over the legal status and availability of the alleyway, questioning the process and valuation for its disposition. Mr. Cowell emphasized that the alleyway has no practical market value on its own and requested clarification regarding the Borough's intent to sell the property and the applicable procedures.

The Borough Solicitor responded that while the Land Use Board's approval is a separate matter, the sale of Borough property must comply with N.J.S.A. 40A:12-13(b)(5), which governs the private sale of undersized, unusable municipal land to contiguous property owners. He explained that the Borough is still determining whether it holds a fee simple title, an easement, or right-of-way interest in the alleyway.

The Solicitor further explained that because this is a private sale, the process must follow certain statutory requirements, including two readings of the ordinance and a 20-day advertisement period, even though the sale is to adjoining property owners. The property has been assessed at fair market value, \$2,500, which must be the minimum sale price per statute. If no other party submits a bid, negotiations can then proceed with the interested party or parties.

Mr. Cowell thanked the Council for the clarification and emphasized the church's intent to move forward with the subdivision once ownership issues are resolved.

Public Portion was closed:

- Motion: Barsuglia
- Second: Alvarez
- Roll Vall Vote: Unanimous Approval

**Ordinance No. 770
Creating the Volunteer Firefighter Incentive Program**

Public hearing opened:

- Motion: Andaloro
- Second: Barsuglia
- Roll Call Vote: Unanimous Approval

Discussion:

Council entered a discussion period. It was noted that this ordinance had its first reading at the last meeting, during which Consultant TJ Culleney explained the importance of this initiative to address the challenges of volunteerism and the need to attract more volunteers for fire calls. The presentation was described as excellent and the initiative as well-justified.

Public hearing closed:

- Motion: Barsuglia
- Second: Andaloro
- Roll Call Vote: Unanimous Approval

Ordinance No. 770 adopted:

- Motion: Barsuglia
- Second: Andaloro
- Adopted by unanimous vote

**Ordinance No. 771
Authorizing the Sale of Vacant Land to Contiguous Property Owners**

Introduced and passed on first reading:

- Motion: Adams
- Second: Barsuglia
- Roll Call Vote: Unanimous Approval

This ordinance authorizes advertising for bids to purchase certain land in which the Borough holds an interest at a private sale to contiguous property owners in accordance with NJSA 40A:12-13(b)(5).

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Council requested clarification from Solicitor Tonetta regarding the process should no bids be received. The Solicitor explained that if no bids are received, the Borough may negotiate with any or all the contiguous property owners. The sale is not conducted as a live auction but as a sealed bid process. Additionally, the successful bidder will be required to obtain a title search. The Borough is selling whatever interest it may have, whether in fee simple or easement, based on a \$2,500 assessed value by the Borough Assessor. Mayor Baruffi and Solicitor Tonetta emphasized this process is required by law and not specific to any party or religious organization.

Resolution No. 124-25

Endorsing a Fourth Round Housing Element and Fair Share Plan

- Motion: Barsuglia
- Second: Andaloro
- Roll Call Vote: Unanimous Approval

Solicitor Tonetta noted that this plan has been in development for over 10 years. The Solicitor stated that the present need consists of three units, and the Borough is well-positioned for this next round.

Resolution No. 125-25

Approving the Fourth Round Affordable Housing Trust Fund Spending Plan and Requesting Court Approval

- Motion: Barsuglia
- Second: Alvarez
- Roll Call Vote: Unanimous Approval

Mayor Baruffi and Solicitor Tonetta detailed the resolution's necessity to comply with state requirements. Work included coordination with housing consultant Tiffany Morrissey, the Borough auditor, and CFO. Council agreed both resolution advances compliance and ensures readiness for current and future affordable housing obligations.

Resolution No. 126-25

Awarding a Contract for FY2025 NJ Water Bank, No. S340519-01, Sanitary Sewer Improvements to South State Inc.

- Motion: Alvarez
- Second: Barsuglia
- Roll Call Vote: Unanimous Approval

Mayor Baruffi stated this project, partially funded through a forgivable loan, includes sewer line replacements on Summer Avenue, West Avenue, and Minotola. The work is expected to begin in September, starting with Summer Avenue, and will continue through next year. The remaining funds may allow additional sewer repairs. Final road resurfacing is planned for late next summer.

Resolution No. 127-25

Accepting a Change Order to amend a contract with Landberg Construction, LLC for NJDCA FY2024, LRIG for Tennis Courts at Bruno Melini Park

- Motion: Barsuglia
- Second: Andaloro
- Roll Call Vote: Unanimous Approval

Mayor Baruffi stated a committee, including the engineer and Councilwomen Andaloro and Barsuglia, met and determined that the proposed bathrooms project, originally budgeted at \$85,000, was not feasible due to lack of bids and concerns about the location behind the Louise Basile Center, which could lead to security and vandalism issues. After discussions, it was decided to redirect the grant funds toward upgrades to the pickleball and tennis courts in a more visible area near Central Avenue. Approval was obtained from the state to reallocate the funds. Additional improvements will include handicapped accessibility and potential equipment upgrades. Council acknowledged some engineering costs already incurred but agreed to move forward with the reallocation.

Resolution No. 128-25

Approving Alcoholic Beverage Licenses for the 2025-2026 Licensing Term

- Motion: Andaloro
- Second: Barsuglia
- Roll Call Vote:
 - Councilman Giovinazzi – Yes
 - Councilman Alvarez – Yes
 - Councilman Adams – Abstain
 - Councilwoman Barsuglia – Yes
 - Councilwoman Andaloro – Yes
 - Councilman DeStefano – Abstain

Resolution No. 128-25 was duly adopted

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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 129-25** A RESOLUTION AUTHORIZING THE SALE OF TAX SALE CERTIFICATE NO. 15-00042 AT PRIVATE SALE BY ASSIGNMENT
 - **RESOLUTION 130-25** A RESOLUTION DETERMINING AND DIRECTING THE FORECLOSURE OF TAX SALE CERTIFICATE NUMBERS 15-00031; 15-00042; 15-00043; 15-00044; AND 16-00046 PURSUANT TO N.J.S.A. 54:5-104.29 ET. SEQ.
 - **RESOLUTION 131-25** A RESOLUTION APPOINTING ALYSSA HEISLER AS A FULL-TIME EMERGENCY MEDICAL TECHNICIAN EFFECTIVE JULY 21, 2025
 - **RESOLUTION 132-25** A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE ENGINEER TO APPLY FOR THE 2026 NJDOT LOCAL TRANSPORTATION PROJECTS FUND GRANT FOR THE RESURFACING OF WEST ATLANTIC AVENUE AND JANET STREET
 - **RESOLUTION 133-25** A RESOLUTION OF THE BOROUGH OF BUENA AMENDING RESOLUTION NO. 92-25 AUTHORIZING THE ENGINEER TO APPLY FOR THE 2025 NJDOT MUNICIPAL AID PROGRAM
 - **RESOLUTION 134-25** A RESOLUTION ACCEPTING A CHANGE ORDER TO AMEND A CONTRACT WITH FY2023 NJDOT LOCAL TRANSPORTATION PROJECTS FUND FOR THE RECONSTRUCTION OF PLYMOUTH STREET AND FRIENDSHIP ROAD
 - **RESOLUTION 135-25** A RESOLUTION OF BUENA BOROUGH AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY FOR THE ADMINISTRATION OF THE PROGRAM INCOME FROM SMALL CITIES GRANTS FOR HOUSING REHABILITATION
 - **RESOLUTION 136-25** A RESOLUTION AUTHORIZING THE RELEASE OF THE MAINTENANCE GUARANTEE POSTED BY BUENA CONNECTION BREWING CO. LLC FOR SITE IMPROVEMENTS AT BLOCK 201, LOT 34.03 (112 WHEAT ROAD), APPLICATION BB-20-03
 - **RESOLUTION 137-25** A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE QUARTERLY PAYMENT OF LEGAL FEES TO RICHARD P. TONETTA, BOROUGH SOLICITOR
 - **RESOLUTION 138-25** A RESOLUTION EXTENDING THE GRACE PERIOD FOR THE PAYMENT OF REAL PROPERTY TAXES IN THE BOROUGH OF BUENA FOR THE THIRD QUARTER OF 2025
 - **RESOLUTION 139-25** A RESOLUTION AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION – NJSA 40A:4-53
 - **RESOLUTION 140-25** A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE ISSUANCE OF A PEDDLER’S PERMIT TO JASON H. WOODY AKA “MR. SOFTEE”
 - **RESOLUTION 141-25** A RESOLUTION AUTHORIZING THE CFO TO REFUND A RECREATION OVERPAYMENT IN THE AMOUNT OF \$100.00 TO DONNA LUPI
-
- BILLS PAID AS LISTED

 - CLERK’S REPORT
MINUTES OF THE MEETING OF JUNE 9, 2025

Motion to approve the consent agenda as presented:

- Motion: Adams
- Second: Alvarez
- Roll Call Vote: Unanimous approval

Consent Agenda was approved as presented

COMMITTEE REPORTS:

PLANNING/ZONING/INSPECTIONS: COUNCILMAN GIOVINAZZI

Chairman Giovinazzi reported that new code enforcer Jimmy Sauro has received the log of code concerns for the year and will follow up on open issues, including significant complaints at 108 Buena Vista Avenue. At 103 Marlin Avenue, the attorney requested 45 days for residents to apply for a use variance to keep chickens; at 105 Marlin Avenue, the judge ordered removal of poultry within two weeks to avoid trial. At 449 South Brewster Road, a \$2,000 fine was issued and paid for unpermitted work; the property owner has submitted plans. Court dates for 104 and 106 South Franklin Street and 114 North Harding Highway were tentatively set but updates are pending. Reinspections have not yet been scheduled.

FINANCE/TAX COLLECTOR/ASSESSOR: COUNCILMAN ALVAREZ

Chairman Alvarez reported that the budget remains on target for the year. Tax collections for the past month totaled \$700,621, consisting of \$51,729 in cash, \$634,578 by check, and \$14,333 by credit card. Additionally, it was noted that the Borough’s rating from Moody’s improved to a 1, indicating a strong financial position, the highest rating the Borough has achieved in many years.

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PUBLIC SAFETY/STREET LIGHTS: COUNCILMAN ADAMS

Director Adams presented the Franklin Township Police report for May, noting 1,060 calls for service, 390 motor vehicle stops, 267 tickets issued, 22 arrests, two DUI arrests, nine disputes, 10 crashes, three well-being checks, 302 business checks, 13 animal complaints, 78 medical assists, 10 domestic calls, no missing persons, and 38 burglar/fire alarms. He noted increased activity with the arrival of summer. Corporal David Gallo was recognized as May's Officer of the Month for his proactive service, including over 50 motor vehicle stops and four K-9 narcotics sniffs with his partner, Zeus.

RECREATION: COUNCILWOMAN BARSUGLIA

Chairwoman Barsuglia reported that grant-funded improvements for the tennis and pickleball courts will begin soon, including repaving the former basketball and volleyball areas, which will extend surface life by 10 years and reduce maintenance. Two double-coated, double-striped pickleball and tennis courts will be constructed.

She announced the summer concert series begins Thursday, featuring High Noon Express from 6–8 p.m. at the park. A Pavilion restaurant fundraiser for Buena Day will run July 7–9, with proceeds from all orders benefiting the event.

Additional upcoming events include a Christmas in July Craft and Vendor Show on July 19 from 9 a.m.–2 p.m. at the Louise Basile Center, followed by "A Very Merry Christmas in July" at 7 p.m., featuring crafts, a movie, and a visit from Santa. A new Buena Broadway Boot Camp will hold auditions on July 24, with camp starting July 28; details are available on the Buena Borough Parks and Recreation Facebook page.

BLDGS/GROUNDS/IMPROVEMENTS: COUNCILWOMAN ANDALORO

Chairwoman Andaloro reported continued work with grants for resurfacing the tennis courts, expected to begin soon. She noted baseball playoffs are concluding this week, and a meeting will be scheduled with the Buildings and Grants Committee and Parks and Recreation to review the baseball season.

The Chairwoman shared that the road department trailer's 1976 air conditioning unit failed, and quotes for replacement are being obtained. Aulffo Roofing will begin work shortly on the EMS building roof. Maintenance updates included regular mowing of the firehouse and EMS grounds, as well as the helicopter landing pad. The ADA door project for Borough Hall and the Louise Basile Center is being finalized, with paperwork to be submitted to community development. Chairwoman Andaloro confirmed there will be no new bathrooms in the park, but grass maintenance continues throughout the borough properties.

ROADS/RECYCLING: COUNCILMAN DESTEFANO

Chairman DeStefano reported that preparations for the Summer Road project are complete, with work starting there before moving to West Avenue. The road department cleaned and serviced trucks and equipment after winter operations. Leaf and brush collection for the first half of the year resulted in approximately 250 tons each being collected. Thirty-six grass cutting violation notices were issued, with most property owners complying; only four properties required borough action, including two in foreclosure. Additionally, Aberdeen Avenue was graded, and a new county truck is expected for the borough next year.

UNFINISHED BUSINESS:

Council President Adams updated Council on the formation of the Rural Economic Development Team, a collaborative group including members from Council, the Mayor, the Municipal Utilities Authority, and the Land Use Board. The team's mission focuses on revitalizing neighborhoods, supporting moderate-income housing, improving infrastructure, and fostering economic growth to enhance the quality of life in the Borough. Initial meetings are planned for the summer, including technical presentations on rural and economic development strategies. This cooperative effort aims to guide the Borough's future growth.

NEW BUSINESS:

None.

NEXT MEETING: REGULAR MEETING JULY 14, 2025, 6:30 P.M.

MEETING ADJOURNED: M/ADAMS S/BARSUGLIA RCVU



Nicole Koch
Clerk 1

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ORDINANCE NO. 770

AN ORDINANCE CREATING A VOLUNTARY FIREFIGHTER INCENTIVE PROGRAM FOR THE BOROUGH OF BUENA FIRE DEPARTMENT, AMENDING CHAPTER 18, ARTICLE I OF THE CODE OF THE BOROUGH OF BUENA ENTITLED FIRE SUPPRESSION, PREVENTION SERVICES

WHEREAS, over 65% of the firefighters in the United States are of the volunteer services and their services are critical to the health and safety of the residents of the communities in which they serve; and

WHEREAS the Borough of Buena, like other communities are finding it difficult to attract and maintain their volunteer firefighters, while the number of calls for service continue to increase; and

WHEREAS, many volunteers must juggle their jobs and family in order to continue to provide the necessary services for their community, many times choosing a second job rather than a volunteer position taking time from family and other activities, recognizing that advances in technology and legal implications require today's firefighters to devote far more time to training than ever before; and

WHEREAS, the Mayor and Council recognize the cost implications in providing for a paid fire department and acknowledge that volunteer firefighters assist the community in tax savings; and

WHEREAS, to address the issue in the decline of volunteer firefighters and to attract and retain individuals wishing to provide a necessary service to their community and neighbors while recognizing the present day financial needs of individuals due to rising costs it is necessary to develop a program to offer financial incentives to volunteers for their service to the community and sustain safety of its personnel, productivity, operational efficiency, and quality of service.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Buena that Chapter 18, Article I of the Code of the Borough of Buena shall be amended as follows:

Section 18-4.3 A (5) shall be deleted in its entirety and replaced as follows:

- (5) The Chief shall keep and maintain all records as to attendance at all alarms and drills for each member. The Chief shall also be responsible to certify LOSAP points for all members to the Borough for qualification for LOSAP. In addition, the Chief shall keep and maintain all records related to the Volunteer Firefighter Incentive Program including a list of qualified Members specified in Section 18-5.1 and 18-5.2, a quarterly list of all firefighters meeting or exceeding the minimum requirements for Pay Per Call, Stand By/On Call Duty Crew and Detail Assignments, specifying the name and calculations of incentives earned per firefighter. This report shall be submitted at the end of each quarter at the next following Council meeting. The report shall be certified as accurate by the Chief of the Department. No incentive shall be submitted without the certified information.

Section 18-5 shall be added as follows to create a **Volunteer Firefighter Incentive Program** to attract and retain trained volunteer firefighters as follows:

Section 18-5 Volunteer Firefighter Incentive Program (VFIP).

There shall be established in the Borough of Buena a program to attract and retain trained volunteer firefighters for the Buena Borough Fire Department. The Program shall be administered under Department of Public Safety and is subject to the appropriation of funds and authorized by the Borough Council. The VFIP shall consist of three incentives; (1) Pay Per Call, (2) Stand by/On Call Duty Crew and (3) Detail Assignments. Members must meet certain Incentive Credits to qualify for the Program

Section 18-5.1 Member Qualifications for VFIP

- a. The VFIP is open to all active qualified members of the Buena Borough Fire Department. Such members must meet all of the qualifications set forth for a member in Section 18-4 of the Borough Code including the following: Meet all DCA requirements.
Firefighters Requirements: FF1 Cert, Hazmat Awareness, Hazmat Operations, Hazmat 6.2, Hazmat 6.6, I-100, I-700, I-800, Annual Fit Test, Valid CPR Cert, Haz Comm Training, and Valid Driver's License

Officer Requirements: FF1 Cert, Hazmat Awareness, Hazmat Operations, HMIC, Hazmat 6.2, Hazmat 6.6, I-100, I-700, I-800, Level 1 IMS, Annual Fit Test, Valid CPR Cert, Haz Comm Training, Valid Driver's License.
- b. All volunteer firefighters in the program shall be a member of the Buena Borough Fire Department for a minimum of six (6) months. Qualifying members must report timely for all alarms or drills, being in a ready state to act or participate and be primarily available for fire duty.

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c. Firefighters in the VFIP shall comply with all Borough Codes, Department policies, rules, regulations, guidelines, procedures and other commands promulgated by the Department. Non-compliance may lead to sanctions by the committee, including disqualification of credits, suspension from the program, or termination from the program. Enforcement of the above shall be determined by the senior officer in charge at any qualifying event.

Section 18-5.2 VFIP Incentive Credits

1. **Prerequisite events:** Prior to receiving any incentive credit for emergency response calls, the firefighter must fulfill the following requirements:

- a. Attend two (2) in-house detail assignments approved by the Fire Chief and Director of Public Safety (3 hours) per month 7:00 p.m. to 10:00 p.m. Only those assignments so approved shall count towards Incentive Credits.
- b. Attend a minimum of 30% of the total monthly fire calls. (effective July 1, 2025)

2. **Stand-By/On Call Duty Crew (Tour):** Each qualifying firefighter shall be eligible to provide Stand-By/On Call Duty Crew coverage(tour) between the hours of 6:00 am. and 6:00 pm one (1) day per week. The Stand-By/On Call Duty Crew (Tour) shall consist of an officer, driver and two (2) firefighters. Firefighters must be at the firehouse within four minutes of dispatch. Failure to be available within 4 minutes will disqualify a firefighter from the Incentive Credit.

3. **Detail Assignment:** Each firefighter shall be required to sign up and attend two (2) in-house detail assignments per month. Qualified individuals must attend two (2) per month to receive credit for the month. Additionally, a firefighter may opt to attend up to (2) additional in-house detail assignments per month.

- a All firefighters shall be prepared for emergency alarms when reporting for Detail Assignment as they will be required to respond as part of their assignment duties.
- b Firefighter shall be required to arrive ten (10) minutes prior to Detail Assignment.
- c Firefighters shall be groomed to DCA requirements and wear approved attire for Detail Assignment as approved by the Fire Chief and Public Safety Director
- d No firefighter shall be relieved of duty until the officer in charge excuses the firefighter

Section 18-5.3 VFIP Incentive Contribution:

The incentive contribution provided shall not be considered payment for services rendered. Contribution shall be considered a “nominal” contribution, and qualifying firefighters perform said services for civic, charitable and humanitarian reasons without promise, expectation or receipt of compensation for services rendered. The contribution is in recognition of the expenses and charitable service being provided to the community. No firefighter shall receive a contribution in excess of that set forth in the Volunteer Responder Incentive Protection Act, 26 U.S.C. Section 139B to the maximum allowable without consideration for federal income tax payments during any taxable year.

1. **Pay Per Call:**

a. **Firefighter**

Minimum of 30% Call Volume for the Quarter –
\$20 per Call
Minimum of 50% Call Volume for the Quarter –
\$25 per Call

b. **Line Officer**

Minimum of 30% Call Volume for the Quarter –
\$25 per Call
Minimum of 50% Call Volume for the Quarter –
\$30 per Call

2. **Stand By/On Call Duty Crew:**

a.. **Firefighter**

Minimum of 30% Call Volume for the Quarter- \$35 per Day
Minimum of 50% Call Volume for the Quarter \$40 per Day

b. **Line Officer**

Minimum of 30% Call Volume for the Quarter – \$40 per Day
Minimum of 50% Call Volume for the Quarter – \$45 per Day

3. **Detail Assignment:**

\$25.00 for each Detail Assignment attended in excess of two (2) per month.

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Section 18-5.4 Disqualification Events.

Firefighters failing to comply with the Member Qualification in Section 18-5.1, Incentive Credits in Section 18-5.2 or the Minimum percentages of attendance set forth in Section 18-5.3 shall not qualify for the VFIP Incentives and shall forfeit all current quarter earned credits to date. Enforcement of the same shall be determined by the Fire Chief.

Section 18-5.5 Appeals

Any matter pertaining to the Volunteer Firefighter Incentive Program (VFIP) in which a firefighter has filed an appeal will be reviewed by the Department Board of Fire Officers. All determinations made by the Department Board of Fire Officers shall be finally reviewed by the Director of Public Safety. All appeals shall be in writing setting forth the facts upon which the firefighter shall rely in furtherance of their position.

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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect in accordance with the Laws of the State of New Jersey.

ORDINANCE NO. 771

**AN ORDINANCE AUTHORIZING THE ADVERTISING FOR BIDS TO PURCHASE CERTAIN LAND IN WHICH THE
BOROUGH HAS AN INTEREST AT PRIVATE SALE TO CONTIGUOUS PROPERTY OWNERS IN ACCORDANCE
WITH N.J.S.A. 40A:12-13(b)(5)**

WHEREAS, the Borough of Buena has a legal interest in a certain 12' by 210' alleyway adjacent to Block 191 Lots 11, 2 and 4 in the Borough of Buena. It is unknown if ownership is fee simple, easement or right of way (Property); and

WHEREAS, the Property in which the Borough has an interest, is less than minimum lot size for construction of any improvement and is not needed for public purposes; and

WHEREAS, the owner(s) of the contiguous properties, to wit, Block 191 Lots 11, 2 and/or 3 have expressed an interest in acquiring said Property; and

WHEREAS, it is in the best interest of the Borough of Buena to advertise for this property for private sale to the highest bidder among the contiguous property owners at not less than fair market value which has been determined to be \$2,500.00 in accordance with N.J.S.A. 40A:12-13(b)(5); and

WHEREAS, the following are conditions of such sale:

- a. All prospective bidders are recommended to retain the services of an attorney and title company to perform a title search to determine the ownership interest of the Borough, whether it be fee simple title, easement or right of way and the highest qualified bidder shall, within 10 days of the adoption of a Resolution accepting the bid, have a title search performed and provided to the Borough for review; and
- b. The highest qualified bidder shall immediately upon being designated as the highest qualified bidder, obtain a title search of the Property at their expense and provide a copy thereof to the Borough to determine ownership or interest therein.
- c. At closing, the highest qualified bidder shall have prepared at their expense an all-inclusive deed combining the Property with the property of the highest qualified bidder and shall be responsible for all costs associated with the preparation and filing of all documents necessary to complete the process of creating an all-inclusive deed.
- d. The highest qualified bidder shall be responsible for reimbursing the Borough for all reasonable costs incurred, including engineering and legal expenses.
- e. The sale is subject to right of lawful occupancy or use of the Property by any municipal or private utility to occupy or use such property lawfully occupied or used by it.

WHEREAS, the Borough reserves the right to reject all bids submitted, which minimum bid shall be set at \$2,500.00, which is the fair market value of the Property.

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

1. The above Property consisting of an alleyway contiguous to properties known as Block 191 Lots 11, 2 and 4 shall be advertised for private sale pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law (N.J.S.A. 40A:12-13(b)(5) subject to the following conditions:

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- (a) Bids shall be received by the Borough Clerk on August 5, 2025, at 2 P.M., at the Clerk's Office, 616 Central Avenue, Minotola, New Jersey, in the manner of a private auction.
- (b) All bids shall be referred to the Borough Clerk/Administrator for review and recommendations for final approval pursuant to N.J.S.A. 40A:12-13b, The Borough of Buena reserves the right to accept the highest bid or to reject any and all bids, including the highest bid, and shall make its decision known by resolution at the next regular meeting of the Borough Council after bids are received.

(c) Bidders shall make payment as follows:

Cash or certified check within fifteen minutes of the close of bidding 10%

plus

Cash or certified check within 10 days of notice of the highest qualified bidder or upon the receipt of a title search, whichever is first to occur 15%

plus

Cash or certified check at a closing to be held on or before _____ 75%

(d) Upon the close of bidding, the highest qualified bidder, as designated by the Borough Clerk, shall submit cash or certified check in the amount of 10% of his bid and shall immediately execute an offer to purchase at his bid price, which offer shall include the terms and conditions specified herein. Said offer shall be irrevocable for thirty (30) days from the date of the private sale. Said offer shall reserve to the highest qualified bidder the right to void the sale should the Borough not have any legal interest in the Property or should that interest be right of way and the return of any deposit.

(e) Title shall be conveyed by Quit Claim Deed or such other legal document necessary to transfer the Borough's ownership interest to the highest qualified bidder with final payment to be made as described in (c) above at a closing to be arranged between the purchaser and the Borough of Buena pursuant hereto.

(f) At closing of title purchaser shall submit an additional sum of money equal to the costs of all advertising of the sale and the preparation and Recording of the Borough's Deed or other legal documents necessary to transfer the Borough's ownership interest.

(g) Bids shall be received for the property:

1. Subject to the following condition:

- a. All prospective bidders are recommended to retain the services of an attorney and title company to perform a title search to determine the ownership interest of the Borough, whether it be fee simple title, easement or right of way.
- b. The highest qualified bidder shall immediately, but not later than 5 days of being designated as the highest qualified bidder, obtain a title search of the Property at their expense and provide a copy thereof to the Borough to determine ownership or interest therein.
- c. At closing, the highest qualified bidder shall have prepared at their expense an all-inclusive deed combining the Property with the property of the highest qualified bidder and shall be responsible for all costs associated with the preparation and filing of all documents necessary to complete the process of creating an all-inclusive deed.
- d. The highest qualified bidder shall be responsible for reimbursing the Borough for all reasonable costs incurred, including engineering and legal expenses.
- e. The sale is subject to right of lawful occupancy or use of the Property by any municipal or private utility to occupy or use such property lawfully occupied or used by it.
- f. Failure to comply with any of the above requirements or to close on or before 20 days after the adoption of a Resolution authorizing the transfer, shall entitle the Borough of Buena to rescind prior bid approval, terminate any and all rights of the designated bidder in said property and retain all monies therefore deposited.
- g. All lots are conveyed subject to existing encumbrances, liens, zoning regulations, easements, other restrictions, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefitting said property.
- h. Upon the final adoption of this Ordinance according to the law, the Borough Clerk is instructed to post on the official bulletin board this Ordinance specifying the property and shall advertise the sale in the official newspaper of the Borough within 5 days of the enactment of this Ordinance.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by any court of competent jurisdiction, the balance hereof shall remain in full force and effect.

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BE IT FURTHER ORDAINED that this Ordinance shall take effect in accordance with the laws of the State of New Jersey.

RESOLUTION NO. 119-25

A RESOLUTION OF THE BOROUGH OF BUENA ACCEPTING THE RETIREMENT OF EMS CHIEF RHONDA CIRAOLO, WITH REGRETS

WHEREAS, EMS Chief Rhonda Ciraolo has faithfully served the Borough of Buena and its residents through her dedicated leadership and unwavering commitment to emergency medical services; and

WHEREAS, Chief Ciraolo has served with distinction, professionalism, and compassion, ensuring the highest level of care and response during times of emergency; and

WHEREAS, her retirement marks the conclusion of a remarkable career that has left a lasting impact on the Borough's emergency services and the community as a whole; and

WHEREAS, while the Mayor and Council of the Borough of Buena accept her decision to retire, they do so with deep appreciation and sincere regret.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena, County of Atlantic, State of New Jersey, that they do hereby accept the retirement of EMS Chief Rhonda Ciraolo, effective June 30, 2025 and extend to her their heartfelt thanks for her many years of outstanding service.

BE IT FURTHER RESOLVED that the Mayor and Council wish Chief Ciraolo a happy, healthy, and fulfilling retirement, and express their deepest gratitude for her contributions to the safety and well-being of the Borough.

RESOLUTION NO. 120-25

A RESOLUTION ACCEPTING THE RESIGNATION OF JUSTEN TALARICO AS A MEMBER OF THE RECREATION COMMISSION

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that resignation of Justen Talarico be regretfully accepted effective immediately.

RESOLUTION NO. 121-25

A RESOLUTION APPOINTING JUSTEN TALARICO TO THE POSITION OF BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY ALTERNATE I TO FILL THE UNEXPIRED TERM OF KEN BARBAGLI

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

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that Justen Talarico is hereby appointed to the position of Borough of Buena Municipal Utilities Alternate I, to fill the unexpired term of Ken Barbagli (February 1, 2023–January 31, 2028).

RESOLUTION NO. 122-25

A RESOLUTION OF THE BOROUGH OF BUENA PROVISIONALLY APPOINTING ANGEL CALIXTO-GOMEZ TO THE POSITION OF SUPERVISING EMT EFFECTIVE JULY 1, 2025

WHEREAS, the retirement of EMS Chief Rhonda Ciraolo has created a vacancy in the position of Supervising EMT within the Borough of Buena; and

WHEREAS, it is the recommendation of the Personnel Committee to provisionally appoint Angel Calixto-Gomez to the position of Supervising EMT to ensure continuity and leadership in the Borough's emergency medical services; and

WHEREAS, Angel Calixto-Gomez possesses the qualifications, experience, and dedication necessary to serve in this important leadership role; and

WHEREAS, the terms and conditions of this provisional appointment are set forth in a Memorandum of Agreement (MOA) attached hereto and made part of this resolution.

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

1. Angel Calixto-Gomez is hereby provisionally appointed to the position of Supervising EMT for the Borough of Buena, effective July 1, 2025.
2. The annual salary for the position shall be Sixty-Seven Thousand Dollars (\$67,000.00).

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3. This appointment is subject to the terms and conditions of the Memorandum of Agreement attached hereto and made a part of this resolution.
4. The Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this appointment.

BE IT FURTHER RESOLVED that a certified copy of this resolution, along with the executed MOA, shall be placed in the personnel file of Angel Calixto-Gomez.

RESOLUTION NO. 123-25

**A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH
ANGEL CALIXTO-GOMEZ AS SUPERVISING EMT**

WHEREAS, the Borough of Buena recognizes the importance of maintaining a qualified and experienced leadership for its Emergency Medical Services (EMS); and

WHEREAS, the Borough has determined that it is in the best interests of the public health, safety, and welfare to appoint Angel Calixto-Gomez as Supervising EMT for the Borough of Buena; and

WHEREAS, the Personnel Committee has recommended entering into a Memorandum of Agreement (MOA) outlining the terms and conditions of Mr. Calixto-Gomez's service as Supervising EMT; and

WHEREAS, the parties have negotiated the terms of said MOA and are in agreement with its provisions.

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

1. The Mayor and/or Borough Clerk are hereby authorized to execute the Memorandum of Agreement with Angel Calixto-Gomez for the position of Supervising EMT, in a form approved by the Borough Solicitor.
2. A copy of the executed MOA shall be maintained on file in the Office of the Borough Clerk and shall be available for public inspection during regular business hours.
3. This Resolution shall take effect immediately upon adoption.

RESOLUTION NO. 124-25

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BUENA ENDORSING A FOURTH ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the Borough of Buena (hereinafter the "Borough" or "Buena") has a demonstrated history of voluntary compliance as evidenced by its Third-Round record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 14, 2015, the Borough of Buena filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel doctrine;" and

WHEREAS, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder's remedy lawsuits, until July 1, 2025; and

WHEREAS, the Borough continues to actively implement its Court-approved Third Round Housing Element and Fair Share Plan; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the "Amended FHA"); and

WHEREAS, the Borough adopted a "binding resolution" accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 27, 2025, establishing its Fourth Round Present Need of 3 and Prospective Need of 9; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court's Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("the Program"), along with its binding resolution, on January 27, 2025; and

WHEREAS, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and

WHEREAS, the Borough did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the Borough's Fourth Round obligations on March 1, 2025; and

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WHEREAS, on March 27, 2025, the Court entered an order establishing the Borough's Fourth Round Present Need of 3 and Prospective Need of 9; and

WHEREAS, now that the Borough has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the Borough's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Land Use Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on May 29, 2025 and adopted the Fourth Round Housing Element and Fair Share Plan via a resolution on that same night; and

WHEREAS, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024, which stated that the Fourth Round Housing Element and Fair Share Plan should be endorsed by the municipal governing body; and

WHEREAS, the Borough Council wishes to endorse the Fourth Round Housing Element and Fair Share Plan.

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

1. The Borough Council hereby endorses the Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A, which was adopted by the Borough's Land Use Board on May 29, 2025.
2. The Borough Council hereby directs the Borough Solicitor to (a) file with the Program and the Court, the Fourth Round Housing Element and Fair Share Plan if it has not done so already, along with any additional documents the professionals deem necessary or desirable and (b) seek Program and Court approval of the Fourth Round Housing Element and Fair Share Plan via a Compliance Certification.
3. The Borough reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

RESOLUTION NO. 125-25

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BUENA APPROVING A FOURTH ROUND AFFORDABLE HOUSING TRUST FUND SPENDING PLAN AND REQUESTING PROGRAM AND COURT APPROVAL OF THE SPENDING PLAN

WHEREAS, the Borough of Buena (hereinafter "Borough" or "Buena") has an approved Development Fee Ordinance which established standards for the collection, maintenance, and expenditure of development fees; and

WHEREAS, the Borough's previous Affordable Housing Trust Fund Spending Plan was approved by the Court; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the "Amended FHA") which governs how municipalities will comply with their affordable housing obligations for the Fourth Round (2025-2035); and

WHEREAS, the Administrative Office of the Courts issued Directive #24-40 ("AOC Directive #14-24), governing how municipalities file their compliance documents with the Affordable Housing Dispute Resolution Program ("the Program"); and

WHEREAS, the Borough has prepared a Fourth Round Spending Plan consistent with the Amended FHA, AOC Directive #24-40, N.J.A.C. 5:93, and other applicable regulations, which projects anticipated revenues to the Borough's Affordable Housing Trust Fund and describes the anticipated expenditures of funds;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Buena, County of Cape May, State of New Jersey, as follows:

1. The Borough Council of the Borough of Buena hereby approves the Fourth Round Spending Plan that is attached hereto as Exhibit A, and requests that the Program and the Court review and approve the Borough's Fourth Round Spending Plan.
2. Borough of Buena shall promptly submit the Fourth Round Spending Plan to the Program and Court for its approval.
3. This Resolution shall take effect immediately upon adoption, according to law.

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RESOLUTION NO. 126-25

A RESOLUTION OF THE BOROUGH OF BUENA AWARDING A CONTRACT FOR THE FY2025 NJ WATER BANK, NO. S340519-01, SANITARY SEWER IMPROVEMENTS PROJECT TO SOUTH STATE, INC., IN THE AMOUNT OF \$2,047,480.00

WHEREAS, the Borough of Buena and the Buena Borough Municipal Utilities Authority publicly advertised and received bids for the FY2025 NJ Water Bank No. S340519-01 Sanitary Sewer Improvements Project; and

WHEREAS, the bids were opened on June 17, 2025, and reviewed by Borough Engineer, DeBlasio & Associates, P.C.; and

WHEREAS, South State, Inc., was determined to be the lowest responsible bidder; and

WHEREAS, the Borough Engineer has recommended the award of the contract to South State, Inc., contingent upon:

1. Certification of availability of funds by the Chief Financial Officer.
2. Authorization from the New Jersey Water Bank.
3. Approval by the Borough Solicitor.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Buena, County of Atlantic, State of New Jersey, that the contract for the FY2025 NJ Water Bank Sanitary Sewer Improvements Project is hereby awarded to South State, Inc., P.O. Box 68, Bridgeton, NJ 08302, based on the award of Alternate Bid No. 1, in the amount of \$2,047,480.00.

BE IT FURTHER RESOLVED, that The Mayor and Borough Clerk are hereby authorized to execute the contract documents and any other necessary agreements upon certification by the CFO and satisfaction of all conditions.

RESOLUTION NO. 127-25

A RESOLUTION ACCEPTING A CHANGE ORDER TO AMEND A CONTRACT WITH LANDBERG CONSTRUCTION, LLC, FOR NJDCA FY2024 LOCAL RECREATION IMPROVEMENT GRANT FOR THE TENNIS COURTS AT BRUNO MELINI PARK

WHEREAS, in accordance with the project titled NJDCA FY2024 Local Recreation Improvement Grant for the Tennis Courts at Bruno Melini Park, DeBlasio & Associates prepared Change Order No. 1 recommending an increase in the contract price by \$26,800.00 to *pave 2" asphalt surface course on the 50'x90' Batting Cages and the 60'x120' Volleyball Court* as stated on the Change Order attached hereto, and made part of this Resolution.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the Change Order submitted by DeBlasio & Associates providing for Change Order No. 1, recommending an increase in the contract price by \$26,800.00, is hereby accepted and approved by the Council of the Borough of Buena, as an amendment to said contract.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the change order contingent upon the receipt of a Certificate of Availability of Funds from the Chief Financial Officer.

RESOLUTION NO. 128-25

A RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSES FOR THE 2025-2026 TERM

WHEREAS, application for renewal of liquor licenses for the 2025-2026 year have been filed with the Borough Clerk; and

WHEREAS, all filing fees have been paid and all applications hereinafter identified are complete.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the club, distribution and retail consumption licenses be and they are hereby renewed for the 2025-2026 licensing year.

0104-31-015-001 Buena Vista Post 270
0104-33-002-009 Uncle Ricky's LLC.
0104-33-003-001 De Maria Richard A.
0104-33-004-012 Jersey Pub 4, Inc
0104-33-010-004 Martin's Custom Catering
0104-44-009-005 MANHANT 2024, INC
0104-44-014-012 Pruthvi, LLC

BE IT FURTHER RESOLVED that the Municipal Clerk is instructed to issue said licenses.

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RESOLUTION NO. 129-25

A RESOLUTION AUTHORIZING THE SALE OF TAX SALE CERTIFICATE NO. 15-00042 AT PRIVATE SALE BY ASSIGNMENT

WHEREAS, the Borough of Buena is the holder of Tax Sale Certificate No. 15-00042; acquired under and by virtue of N.J.S.A. 54:5-34; and

WHEREAS, it is deemed financially beneficial to, and in the best interest of, the municipality to sell such tax sale certificate;

WHEREAS, the Borough has fulfilled the requirements whereby notice of potential assignment has been mailed to the owner at the address as appearing on the tax duplicate, as well as the assessed owner's last known address; and,

WHEREAS, notice of assignment was posted in three public places within the Borough of Buena and published in the Atlantic City Press, a newspaper in general circulation in the municipality, as required by law.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Buena, County of Atlantic, State of New Jersey, hereby authorize the sale by assignment of the following tax sale certificates to Louis Petrini, Jr. for the following amounts as set forth in the Notice of Assignment attached hereto:

ASSIGNEE	TAX SALE CERT. NO.	AMOUNT
Louis Petrini	15-00042	\$35,321.95

For the consideration therein set forth, which sum includes the lien for unpaid subsequent taxes for the period set forth, all as provided for and permitted under N.J.S.A. 54:5-113,

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized and empowered to make, execute and deliver any and all assignment forms, including the form of Assignments attached to this Resolution, or other legal documents which may be necessary or desired to effectuate the various sales permitted by this Resolution.

RESOLUTION NO. 130-25

A RESOLUTION DETERMINING AND DIRECTING THE FORECLOSURE OF TAX SALE CERTIFICATE NUMBERS 15-00031; 15-00042; 15-00043; 15-00044; AND 16-00046 PURSUANT TO N.J.S.A. 54:5-104.29 ET. SEQ.

BE IT RESOLVED, by the Borough Committee of the Borough of Buena, New Jersey, the governing body of the Borough of Buena, that Tax Sale Certificate Numbers., 15-00031; 15-00042; 15-00043; 15-00044; and 16-00046 PURSUANT TO N.J.S.A. 54:5-104.29 as shown on the attached Foreclosure List, which is held by the Borough of Buena be foreclosed by summary proceedings, IN REM, and as described by N.J.S.A. 54:5-104-29 et seq. as amended, and pursuant to the Rules of Civil Procedure of the Superior Court of New Jersey.

BE IT FURTHER RESOLVED, that all reasonable and necessary costs incurred in connection with the foreclosure of Tax Sale Certificate Numbers., 15-00031; 15-00042; 15-00043; 15-00044; and 16-00046 are hereby approved.

RESOLUTION NO. 131-25

A RESOLUTION APPOINTING ALYSSA HEISLER AS A FULL-TIME EMERGENCY MEDICAL TECHNICIAN EFFECTIVE JULY 21, 2025

WHEREAS, a need exists to hire certain employees in the Borough of Buena; and

WHEREAS, a need exists for a full-time Emergency Medical Technician in Buena Emergency Medical Services Department; and

WHEREAS, Chief Ciruolo and Lieutenant Calixto-Gomez conducted interviews and have recommended promoting Alyssa Heisler as the candidate to fill said position, effective July 21, 2025.

NOW THEREFORE, BE IT RESOLVED, that the Council of the Borough of Buena, County of Atlantic, State of New Jersey, hereby approves the appointment of aforementioned candidate as a Full-Time Emergency Medical Technician based on their qualifications with a start date effective July 21, 2025, and conditioned upon the successful completion of the hiring phases set forth in the Policy and Procedures of the Borough of Buena.

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BE IT FURTHER RESOLVED, that Alyssa Heisler shall be hired at the rate of \$26.00 per hour.

RESOLUTION NO. 132-25

A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE ENGINEER TO APPLY FOR THE 2026 NJDOT LOCAL TRANSPORTATION PROJECTS FUND GRANT FOR THE RESURFACING OF WEST ATLANTIC AVENUE AND JANET STREET

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the Engineer is authorized to submit an electronic grant application to the New Jersey Department of Transportation for the 2026 Local Transportation Projects Fund Grant: Resurfacing of Williams Avenue and Pacific Avenue, in an amount not to exceed \$1,000.00, and contingent upon a Certification of Availability of Funds from the Chief Financial Officer.

RESOLUTION NO. 133-25

A RESOLUTION OF THE BOROUGH OF BUENA AMENDING RESOLUTION NO. 92-25 AUTHORIZING THE ENGINEER TO APPLY FOR THE 2025 NJDOT MUNICIPAL AID PROGRAM

WHEREAS, the Council of the Borough of Buena adopted Resolution 92-25 on April 28 authorizing the Engineer to apply for the 2025 NJDOT Municipal Aid Program; and

WHEREAS, Mayor and Council, in conjunction with the Engineer, have now identified the project as Resurfacing of Friendship Road and Melini Avenue.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the Engineer is authorized to submit an electronic grant application to the New Jersey Department of Transportation for the 2025 NJDOT Municipal Aid Program: Resurfacing of Friendship Road and Melini Avenue in an amount not to exceed \$2,000.00, and contingent upon a Certification of Availability of Funds from the Chief Financial Officer.

RESOLUTION NO. 134-25

A RESOLUTION ACCEPTING A CHANGE ORDER TO AMEND A CONTRACT WITH FY2023 NJDOT LOCAL TRANSPORTATION PROJECTS FUND FOR THE RECONSTRUCTION OF PLYMOUTH STREET AND FRIENDSHIP ROAD

WHEREAS, in accordance with the project, Reconstruction of Plymouth Street and Friendship Road, DeBlasio & Associates prepared a change order recommending a decrease in the contract price by \$28,742.27 for as-built quantity adjustments as stated on the Change Order attached hereto, and made part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the change order submitted by DeBlasio & Associates providing for a decrease in the contract amount by \$28,742.27 is hereby accepted and approved by the Council of the Borough of Buena, as an amendment to said contract.

BE IT FURTHER RESOLVED that Joseph Baruffi, Mayor of the Borough of Buena, is authorized to execute the change order.

RESOLUTION NO. 135-25

A RESOLUTION OF BUENA BOROUGH AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY FOR THE ADMINISTRATION OF THE PROGRAM INCOME FROM SMALL CITIES GRANTS FOR HOUSING REHABILITATION

WHEREAS, the Borough Council of the Borough of Buena desires to engage the services of the Atlantic County Improvement Authority to perform various services for the municipality; and

WHEREAS, the Atlantic County Improvement Authority is qualified by training and experience to perform the required services in the manner and on the term and conditions set forth the in the attached contract.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Buena Borough that the Atlantic County Improvement Authority is hereby appointed to be the administrators of that portion of the Buena Housing Rehabilitation Program finance by the Program Income generated by previous Small Cities CDBG Grants; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to enter into and execute the Interlocal Services Agreement authorizing the Atlantic County Improvement Authority as the Administrator of the Borough's Program Income-Housing Rehabilitation Program and the Agreement shall be filed and open to the public at the office of the Borough Clerk immediately after the adoption of this Resolution.

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RESOLUTION NO. 136-25

A RESOLUTION AUTHORIZING THE RELEASE OF THE MAINTENANCE GUARANTEE POSTED BY BUENA CONNECTION BREWING CO. LLC FOR SITE IMPROVEMENTS AT BLOCK 201, LOT 34.03 (112 WHEAT ROAD), APPLICATION BB-20-03

WHEREAS, Buena Connection Brewing Co. LLC previously posted a Maintenance Guarantee in the amount of \$11,261.55 on April 14, 2023, in connection with site improvements for the property located at 112 Wheat Road, also identified as Block 201, Lot 34.03, under Borough of Buena Application Number BB-20-03, and DeBlasio & Associates File Number BB-P-033; and

WHEREAS, the Maintenance Guarantee was required to ensure the satisfactory performance and maintenance of certain improvements in accordance with applicable Borough ordinances and Planning Board approvals; and

WHEREAS, the Borough Engineer, DeBlasio & Associates, P.C., has reviewed the "Punch List of Improvements" prepared by Mott Watkins Associates LLC dated March 29, 2023, and has conducted a site inspection on June 3, 2025; and

WHEREAS, by letter dated June 3, 2025, Marc DeBlasio, P.E., P.P., C.M.E., President of DeBlasio & Associates, has advised the Borough that all punch list items have been substantially addressed and recommends the release of the Maintenance Guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena, County of Atlantic, State of New Jersey, as follows that the Maintenance Guarantee in the amount of \$11,261.55, posted by Buena Connection Brewing Co. LLC, is hereby authorized to be released in full.

RESOLUTION NO. 137-25

A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE QUARTERLY PAYMENT OF LEGAL FEES TO RICHARD P. TONETTA, BOROUGH SOLICITOR

WHEREAS, the Borough of Buena has retained Solicitor Richard P. Tonetta, Esq., to provide legal services to the Borough in accordance with the terms of his professional service agreement; and

WHEREAS, it is the desire of the Borough Council to authorize the payment of legal fees in the amount of Sixteen Thousand Dollars (\$15,000.00) per quarter for services rendered by Solicitor Tonetta; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the Municipal Budget for this purpose.

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

1. The Borough is hereby authorized to make quarterly payments to Solicitor Richard Tonetta, Esq., in the amount of \$15,000.00 per quarter for legal services rendered.
2. Said payments shall be made at the end of each quarter.
3. Any amount owed will be paid at the end of the calendar year upon receipt of itemized invoices in accordance with the applicable laws and regulations.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to the Borough Solicitor and the Chief Financial Officer.

RESOLUTION NO. 138-25

A RESOLUTION EXTENDING THE GRACE PERIOD FOR THE PAYMENT OF REAL PROPERTY TAXES IN THE BOROUGH OF BUENA FOR THE THIRD QUARTER OF 2025

WHEREAS, the tax rate for the Borough of Buena has not been certified by the Atlantic County Board of Taxation; and

WHEREAS, the tax bills have not been received by the Tax Collector, and

WHEREAS, the Council of the Borough of Buena, in order to provide adequate notice to Property owners of the amount of taxes owed for the third quarter of 2025, believe that the grace period for the payment of taxes should be extended.

NOW, THEREFORE BE IT RESOLVED by the council of Borough of Buena that the GRACE PERIOD for the payment of property taxes in the Borough of Buena for the third quarter of 2025 be and the same is hereby extended to twenty-five days after the mailing of the tax bills.

**BOROUGH OF BUENA COUNCIL
REGULAR MEETING MINUTES
MONDAY, JUNE 23, 2025 6:30 P.M.
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**RESOLUTION NO. 139-25
SPECIAL EMERGENCY APPROPRIATION – N.J.S.A. 40A:4-53**

WHEREAS, an emergency has arisen with respect to the Required Severance Liabilities resulting from the retirement of employees from the Borough of Buena.

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act. **NOW, THEREFORE BE IT RESOLVED**, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. A special emergency appropriation be and the same is hereby made for:

<u>Contractually Required Severance Liabilities Resulting</u>	
<u>From Retirement</u>	<u>\$71,884.59</u>

2. That said special emergency appropriation shall be provided for in the budgets of the next succeeding five (5) years by the inclusion of not less than \$14,376.91.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed with the Director of government Services.

RESOLUTION NO. 140-25

A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE ISSUANCE OF A PEDDLER’S PERMIT TO JASON H. WOODY AKA “MR. SOFTEE”

WHEREAS, the Borough of Buena has received an application for a peddler’s permit from Jason H. Woody aka “Mr. Softee” for the purpose of selling ice cream within the Borough limits; and

WHEREAS, the applicant has submitted all required documentation, paid the applicable fees, and received a favorable recommendation from the Franklin Township Police Department; and

WHEREAS, the application has been reviewed and found to be in compliance with the requirements of the Borough’s ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena, County of Atlantic, State of New Jersey, that a peddler’s permit is hereby issued to Jason H. Woody aka “Mr. Softee,” effective June 20, 2025, and expiring December 31, 2025, subject to continued compliance with all applicable local, state, and federal laws and regulations.

RESOLUTION NO. 141-25

A RESOLUTION AUTHORIZING THE CFO TO REFUND A RECREATION OVERPAYMENT IN THE AMOUNT OF \$100.00 TO DONNA LUPI

WHEREAS, Donna Lupi remitted payment for the purchase of a brick to the Recreation Commission Account in the amount of \$150.00 to the Borough of Buena Recreation Commission. The cost of the brick was \$50.00 causing an overpayment of \$100.00.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Chief Financial Officer is hereby authorized to refund the amount of \$100.00 from the Recreation Commission Account.