

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
MAY 22, 2023
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**MEETING CALLED TO ORDER: 7:00 P.M.
MEETING ADJOURNED: 7:50 P.M.**

CALL MEETING TO ORDER: FLAG SALUTE

ROLL CALL OF ATTENDANCE:

Council Member	Present	Absent
MERIGHI	X	
ALVAREZ	X	
ADAMS	X	
BARSUGLIA	X	
ANDALORO	X	
FABRIZIO		X

Also in attendance: Solicitor Tonetta, Administrator Coraluzzo, Acting Clerk Johnston, Road Supervisor Nimohay.
Absent: Mayor Zappariello

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, May 22, 2023 commencing at 7:00 p.m. at the Borough Hall with Council President Adams presiding. Council President Adams led the flag salute and 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, the Daily Journal and the Atlantic County Record on November 18, 2023 as well as having been posted on the bulletin board at Borough Hall.

MAYOR'S REPORT: FIRST ORDER OF BUSINESS.

PUBLIC PORTION OF THE MEETING:

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 COURTESY AND RESPECT AND REQUIRES MEMBERS OF THE PUBLIC TO DO THE SAME.

PUBLIC PORTION OPENED:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI		X	X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA	X		X				
ANDALORO			X				
FABRIZIO						X	

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Bill Coltri, Forest Grove Rd. stated his concern on the continuing explosion sounds all hours of the night. Council President Adams replied that there has been an ongoing investigation. Deputy Chief DeCesari added that he would create a post for Facebook for anyone to provide information, and anonymous tips can be reported on crimetips@franklintownship.com

John Saseen, Minotola, inquired when property revaluations will begin. Solicitor Tonetta replied that RFPs are being prepared for the process of bidding for the property revaluations.

PUBLIC PORTION CLOSED:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ	X		X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO			X				
FABRIZIO						X	

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NEED MOTION TO OPEN THE PUBLIC HEARING ON:

ORDINANCE NO. 730 ORDINANCE PROHIBITING THE SALE AND DISPENSING OF GASOLINE OR OTHER TYPES OF FUEL INTO THE FUEL TANK OF AN ALL-TERRAIN VEHICLE OR DIRT BIKE WHICH IS IN VIOLATION OF N.J.S.A. 39:3C-17 AND DRIVEN TO SUCH FUELING STATION UNDER ITS OWN POWER

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA	X		X				
ANDALORO		X	X				
FABRIZIO						X	

DISCUSSION: Councilman Merighi stated he has seen a lot of golf carts being driven in the area. Solicitor Tonetta stated that golf carts can be legal if the requirements of the carts and the drivers are met. This bill would target ones not legal and the police would consider them for contraband, a task force headed by the County Prosecutor Office had been created

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NEED MOTION TO CLOSE THE PUBLIC HEARING:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI	X		X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO		X	X				
FABRIZIO						X	

ORDINANCE NO. 730 ADOPTED:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO	X		X				
FABRIZIO						X	

WHEREAS, Borough Council of the Borough of Buena has declared all-terrain vehicles or dirt bikes operated on a public street, public parks, highway or right of way in violation of N.J.S.A. 39:3C-17 an immediate threat to the public health, safety or welfare of the citizens of the Borough, those operating vehicles and pedestrians and has designated such vehicles as contraband and subject to forfeiture in accordance with N.J.S.A. 2C:64-1 et seq.; and

WHEREAS, illegally operated vehicles need fuel to function and many times are illegally operated to public fueling stations where fuel is purchased and dispensed; and

WHEREAS, it is incumbent upon gas stations to refuse the sale and dispensing of gasoline or other types of fuel to illegal and illegally operated vehicles contrary to N.J.S.A. 39:3C-17 as the same are deemed to be contraband and to knowingly assist in the operation of such vehicles by providing fuel therefore is to be implicit in such violation and

WHEREAS, Borough Council finds it to be in the best interest of the Borough to prohibit the sale and dispensing of fuel into the fuel tank of an all-terrain vehicle or dirt bike which is in violation of N.J.S.A. 39:3C-17 and driven to such fueling station under its own power, which will assist in reducing the illegal operation of all-terrain vehicles and dirt bikes upon public streets, parks, roads and rights-of- way.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Buena that public gas stations shall be prohibited from selling and dispensing gasoline or other type of fuel into the fuel tank of an all-terrain vehicle or dirt bike which is violation of N.J.S.A. 39:3C-17 and driven to such fueling station under its own power and shall be subject to such penalties as set forth in Chapter 1, Article III of the Code of the Borough of Buena.

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BE IT FURTHER ORDAINED that it shall be a rebuttable presumption that an all-terrain vehicle or dirt bike driven to a fueling station and is untagged is in violation of N.J.S.A 39:3C-17 and therefore should be refused fuel.

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

This Ordinance shall take effect upon adoption and publication according to law.

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NEED MOTION TO OPEN THE PUBLIC HEARING ON:

ORDINANCE NO. 731 AN ORDINANCE AMENDING CHAPTER 150, LAND USE, OF THE CODE OF THE BOROUGH of BUENA, COUNTY OF Atlantic AND STATE OF NEW JERSEY

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO	X	X	X				
FABRIZIO						X	

DISCUSSION: Solicitor Tonetta stated the Pinelands requires municipalities to adopt their stormwater regulations and have given the form to adopt.

NEED MOTION TO CLOSE THE PUBLIC HEARING:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI		X	X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO	X		X				
FABRIZIO						X	

ORDINANCE NO. 731 ADOPTED:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO	X		X				
FABRIZIO						X	

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NEED MOTION TO OPEN THE PUBLIC HEARING ON:

ORDINANCE NO. 732 ORDINANCE DECLARING AN ALL-TERRAIN VEHICLE OR DIRT BIKE OPERATED ON A PUBLIC STREET, HIGHWAY OR RIGHT OF WAY IN VIOLATION OF N.J.S.A. 39:3C-17 AN IMMEDIATE THREAT TO THE PUBLIC HEALTH, SAFETY OR WELFARE AND DESIGNATING SUCH VEHICLES AS CONTRABAND SUBJECT TO FORFEITURE

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO	X		X				
FABRIZIO						X	

DISCUSSION: Councilman Merighi discussed the golf carts on the bike path, Solititor Tonetta replied that an adopted Ordinance would be sent to the police department for enforcement.

NEED MOTION TO CLOSE THE PUBLIC HEARING:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ	X		X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO			X				
FABRIZIO						X	

ORDINANCE NO. 732 ADOPTED:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ	X		X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO		X	X				
FABRIZIO						X	

WHEREAS, N.J.S.A. 39:3C-35 states that a snowmobile, all-terrain vehicle or dirt bike is prohibited from operating on a public street, highway or right of way unless properly registered, operated and insured in accordance with N.J.S.A. 39:3C-17 and allows the vehicle to be impounded until proof is provided of registration and insurance; and

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WHEREAS, despite the legislation, the Borough of Buena, as well as many other municipalities in the State and other States have experienced an increase in illegally operated all-terrain vehicles and dirt bikes upon the public streets, public parks, highways and rights of way, causing a threat to the public welfare by interfering with pedestrian and vehicle traffic, and resulting in traffic accidents and further eluding the Franklin Township Police Department causing further dangerous conditions and

WHEREAS, Borough Council of the Borough of Buena declares that an all-terrain vehicle or dirt bike operated on any public street, public park, highway, or right of way in violation of N.J.S.A. 39:3C-17 poses an immediate threat to the public health, safety or welfare and hereby designates such all-terrain vehicles or dirt bikes so operated as contraband subject to forfeiture in accordance with the provisions of N.J.S.A. 2C:64-1 et seq. An all-terrain vehicle or dirt bike so forfeited pursuant to the provisions of N.J.S.A. 2c:64-1 et seq. as authorized hereby shall be disposed of in accordance with the provisions of N.J.S.A. 2C:64-6 or at the discretion of the Borough Council or such other agency funding the prosecution, may be destroyed.

WHEREAS, Borough Council of the Borough of Buena finds that this will provide the Franklin Township Police Department and the residents with an avenue of removing illegal vehicles from the streets, parks, highways and rights of way and finds it to be in the best interest of the Borough.

NOW, THEREFORE, BE IT ORDAINED that the Borough Council of the Borough of Buena declares an all-terrain vehicle or dirt bike operated on any public street, public parks, highway, or right of way in violation of N.J.S.A. 39:3C-17 poses an immediate threat to the public health, safety or welfare and hereby designates such all-terrain vehicles or dirt bikes so operated as contraband subject to forfeiture in accordance with the provisions of N.J.S.A. 2C:64-1 et seq. An all-terrain vehicle or dirt bike so forfeited pursuant to the provisions of N.J.S.A. 2c:64-1 et seq. as authorized hereby shall be disposed of in accordance with the provisions of N.J.S.A. 2C:64-6 or at the discretion of the Borough Council or such other agency funding the prosecution, may be destroyed.

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

This Ordinance shall take effect upon adoption and publication according to law.

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NEED MOTION TO OPEN THE PUBLIC HEARING ON:

ORDINANCE 733

**ORDINANCE AMENDING ORDINANCE NO. 395, AS AMENDED,
CHAPTER 150 OF THE CODE OF THE BOROUGH OF BUENA
ENTITLED LAND USE AS PART OF THE MASTER PLAN REVIEW
CONSISTENT WITH RESOLUTION 2018-23 OF THE BUENA
BOROUGH LAND USE BOARD FOR ZONING DISTRICT CHANGES
AND ZONE MAP ADOPTION AS RECOMMENDED THEREIN**

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Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ	X		X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO		X	X				
FABRIZIO						X	

DISCUSSION: Council President stated copies will be in the zoning office.

NEED MOTION TO CLOSE THE PUBLIC HEARING:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI		X	X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO	X		X				
FABRIZIO						X	

ORDINANCE NO. 733 ADOPTED:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ	X		X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO		X	X				
FABRIZIO						X	

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF BUENA IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

Findings. The Mayor and Council for the Borough of Buena hereby make the following findings:

A reexamination of the Borough of Buena’s Master Plan was completed by Remington & Vernick Engineers in 2018 and a General Reexamination of the Master Plan and Master Plan Amendment (hereinafter referred to as the “2018 Reexamination Report”) was prepared.

On November 27, 2018, after a public hearing on October 23, 2018 and November 27, 2018, the Borough of Buena Planning Board adopted by Resolution No. 2018-23 the 2018 Reexamination Report.

Resolution No. 2018-23 in accordance with the 2018 Reexamination Report recommended certain changes to the Borough of Buena Zoning Map.

Mayor and Council for the Borough of Buena in accordance with the 2018 Reexamination and Planning Board Resolution No. 2018-23 seek to officially adopt the Zoning Map attached as Exhibit “A”.

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NOW, THEREFORE, BE IT ORDAINED by Mayor and Council of the Borough of Buena as follows:

- A. The Findings set forth above are hereby incorporated as if set forth at length herein.
- B. The Zoning Map attached as Exhibit “A” is the official Buena Borough Zone Map and made a part of Chapter 150.
- C. The Official Buena Borough Zoning Map shall be located in the office of the Municipal Clerk and maintained by the Borough Engineer.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

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RESOLUTION 100-23 A RESOLUTION AUTHORIZING THE CFO TO REFUND A CONSTRUCTION PERMIT APPLICATION FEE IN THE AMOUNT OF \$640.00 TO SUNPOWER

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI	X		X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO			X				
FABRIZIO						X	

WHEREAS, SunPower is no longer moving forward with their solar project and is requesting a refund for their permit fees in the amount of \$640.00 to the Borough of Buena Construction Department.

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 \$438.40 held in escrow to SunPower minus a 20% review fee of \$109.60 and a non-refundable DCA fee in the amount of \$92.00.

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RESOLUTION 101-23 A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF CENTRAL AVENUE (CR 627), TO THROUGH TRAFFIC ON MAY 29, 2023, FROM 8:30 A.M. TO 10:30 A.M. AND DIRECTING THE AMERICAN LEGION POST 270 TO SUBMIT AN APPLICATION TO THE ATLANTIC COUNTY ENGINEER FOR A PERMIT APPROVING SAID TEMPORARY CLOSURE.

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Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI		X	X				
ALVAREZ	X		X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO			X				
FABRIZIO						X	

WHEREAS, the American Legion Post 270 has scheduled its annual Memorial Day Ceremony; and

WHEREAS, the American Legion Post 270 has requested a portion of Central Avenue (CR 627) be closed during the ceremony to minimize the possibility of injury to person or property during the parade; and

WHEREAS, the Franklin Township Police Department has reviewed this request and has recommended that Central Avenue (CR 627), from the intersection of Summer Road (CR 682) and Central Avenue (CR 627), to the American Legion Post 270, 703 Central Avenue, be closed to through traffic during the ceremony for public safety reasons.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that Central Avenue, from the intersection of Summer Road (CR 682) and Central Avenue (CR 627), to the American Legion Post 270, 703 Central Avenue, be temporarily be closed on April 15, 2023, from 9:00 A.M. To 10:00 A.M.

BE IT FURTHER RESOLVED that the temporary closure of the above street shall affect through traffic only and shall not unduly impede the ingress or egress of residents of Central Avenue, and their guests or visitors to and from their respective properties.

BE IT FURTHER RESOLVED that notice of this temporary closure shall be given to property owners along Central who are affected by same, immediately upon adoption of this Resolution.

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**RESOLUTION 102-23 RESOLUTION OF THE BOROUGH OF BUENA, ATLANTIC COUNTY,
STATE OF NEW JERSEY SUPPORTING SENATE BILL S3063
ESTABLISHING "ATV LAW ENFORCEMENT TASK FORCE"**

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA	X		X				
ANDALORO		X	X				
FABRIZIO						X	

WHEREAS, Senate Bill S3063 establishes an "ATV Law Enforcement Task Force" in each county, respectively; and,

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WHEREAS, Senator Vincent J. Polistina and Senator M. Teresa Ruiz have expressed their support for Senate Bill S3063; and,

WHEREAS, Senate Bill S3063 allows each county task force to study current law pertaining to all-terrain vehicles and make findings and recommendations regarding enforcement of applicable laws; and develop and adopt a county ATV law enforcement mutual aid plan that will set forth an agreement among the counties regarding the adoption of policies and procedures to enhance law enforcement and coordinate efforts to combat illegal all-terrain vehicle operation; and,

WHEREAS, the Borough of Buena has a need to support Senate Bill S3063.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of Buena Borough does hereby support Senate Bill S3063 and Assembly Bill A4728.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to New Jersey Governor Phil Murphy; State Senators Vincent J. Polistina and Senator M. Teresa Ruiz, and Legislative District 4 Members Senator Fred H. Madden, Jr., Assemblyman Paul D. Moriarty, Assemblywoman Gabriela M. Mosquera, and the Municipal Clerks of each of the other twenty-two (22) municipalities in Atlantic County.

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RESOLUTION 103-23: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF SUMMER ROAD PROJECT.

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ	X		X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO		X	X				
FABRIZIO						X	

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Buena formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2024-Reconstruction of Summer Road to the New Jersey Department of Transportation on behalf of the Borough of Buena.

BE IT FURTHER RESOLVED that the Mayor and Acting Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Buena and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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RESOLUTION 104-23: A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE ENGINEER TO APPLY FOR THE 2024 NJDOT MUNICIPAL AID PROGRAM: SUMMER ROAD

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI	X		X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO			X				
FABRIZIO						X	

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 2024 NJDOT Municipal Aid Program: Summer Road in an amount not to exceed \$1,000.00, and contingent upon a Certification of Availability of Funds from the Chief Financial Officer.

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RESOLUTION 105-23 A RESOLUTION RESCINDING RESOLUTION NO. 63-23 AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY DIRECTING TRIAD ASSOCIATES TO FILE AN APPLICATION FOR A USDA-RD- PREDEVELOPMENT PLANNING GRANT AND USDA-RD- WATER AND WASTE SANITARY SEWER GRANT

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO	X		X				
FABRIZIO						X	

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Buena that Resolution No. 63-23, authorizing the execution of a shared service agreement with the Borough of Buena Municipal Utilities Authority directing Triad Associates to file an application for a USDA-RD- Predevelopment Planning Grant and USDA-RD- Water and Waste Sanitary Sewer Grant Is Hereby Rescinded.

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RESOLUTION 106-23 A RESOLUTION AUTHORIZING THE ACTING CLERK OF THE BOROUGH OF BUENA TO ADVERTIZE FOR PROPOSALS TO BE RECEIVED FOR THE ISSUANCE OF CANNABIS BUSINESS LICENSES IN THE BOROUGH OF BUENA

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MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO	X		X				
FABRIZIO						X	

WHEREAS, in November 2020, a State Referendum was voted upon by the residents of the State of New Jersey to ascertain public opinion on adult use cannabis which reflected that 67% of the voting population is in favor of the legalization of adult use cannabis in the State and as a result, the State Legislation adopted the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Act (CREAMM) N.J.S.A. 24:6I-31, et seq; which establishes the authority by which municipalities may regulate the sale and use of adult use cannabis; and

WHEREAS, N.J.S.A. 24:6I-45 authorizes municipalities to adopt legislation governing the number and types of cannabis businesses as established under CREAMM and further required municipalities not wishing to accept cannabis businesses to adopt such legislation on or before August 2021 or such municipalities shall be required to allow all types of licenses; and

WHEREAS, Buena Borough did not adopt such legislation within the time set forth in N.J.S.A. 24:6I-45 and therefore all classes of cannabis businesses are permitted within the Borough, however the Borough Council wishes to establish the number of each type of license, the manner of operation, location thereof, among other permitted restrictions.

WHEREAS, Borough Council thereafter adopted Ordinance No. 705 which restricted the number of each Class of license permitted in the Borough to one (1) and subsequently adopted Ordinance No. 719 which increased the permitted number of Class I Cannabis Cultivator licenses to two (2); and

WHEREAS, Borough Council determined it to be in the best interest of the Borough to award the available municipal licenses based upon proposals provided by those parties seeking a municipal license and adopted Ordinance No.719 setting forth the process by which such applicants would be vetted.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the Acting Clerk is hereby authorized to advertise for Proposals to be received for all Classes of cannabis businesses on or before June 29, 2023, said proposals shall comply with Ordinance No. 719.

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COMMITTEE REPORTS:

PERMITS/INSPECTIONS/TAX OFFICES.....CHAIRMAN, DOUGLAS ADAMS,
Council President Adams reported that Code Enforcement violation letters had been sent from complaints that had come into the office and the corrections made.

PUBLIC SAFETY/STREET LIGHTS/ANIMAL CONTROL: (CHAIRMAN DOUGLAS ADAMS)
Council President Adams gave the April monthly report from Animal Control, EMS, and the Police Department. June 28th, Wednesday is Ice Cream with a Cop, the Ice Cream truck and officers will be throughout the neighborhood. Adams added that there will be an EMS recognition picnic on Wednesday, May 24th for the members, Mayor and council, borough employees and the police department are invited.

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FINANCE: (CHAIRMAN JORGE ALVAREZ)

Councilman Alvarez reported that there is still a temporary Budget and a hold on spending is necessary.

PUBLIC BLDGS/GROUNDS/IMPROVEMENTS: (CHAIRWOMAN PATRICIA ANDALORO)

Councilwoman Andaloro reported that the commerce center lease will be up for renewal in August for the master tenant. Buildings and Grounds committee has been in review of the field lights in the park and portable toilet trailers. Tennis courts are being repaired findings in regards to the violations notices sent from Green Acres. Andaloro reported that the Blackwater Pond proposals will need to go out for new bids. Also, the committee is continuing to look into purchasing AED's for Borough Buildings.

RECREATION/SPECIAL EVENTS: (CHAIRWOMAN MARINA BARSUGLIA)

Councilwoman Barsuglia reported that Concerts in the Park will begin in July, Movies in the Park will be alternated, a schedule will be available soon.

The American Legion is applying for the traveling wall to return to Buena Borough.

The American Legion will be holding Memorial Services at 9:00am on Monday, May 29th, flags will be placed at the cemeteries on Wednesday at 9am

The Historical Society held a craft fair on the 6th of May with approximately 70 vendors in attendance.

The community garden update; addition of 4 more beds, Councilman Merighi donated plants and the Plant Source donated for a sensory plant for a children's garden.

Barsulia shared her day at the Sustainable Jersey summit where she took classes and seen innovative vehicles.

ROADS/RECYCLING: (CHAIRMAN, JOSEPH FABRIZIO) Road Supervisor Nimohay gave the April Monthly report for roads and recycling.

ECONOMIC DEVELOPMENT: (CHAIRMAN ERNEST MERIGHI) Councilman Merighi stated he is still working on attracting businesses to the Borough.

CLERK'S REPORT:

MINUTES OF THE REGULAR MEETING OF APRIL 24, 2023. IF NO CORRECTIONS OR ADDITIONS, ENTERTAIN A MOTION TO APPROVE:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO			X				
FABRIZIO						X	

Minutes of the workshop meeting of May 8, 2023. If no corrections or additions, entertain a motion to approve:

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
MAY 22, 2023
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Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO			X				
FABRIZIO						X	

Minutes of the regular meeting of May 8, 2023. If no corrections or additions, entertain a motion to approve:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO			X				
FABRIZIO						X	

UNFINISHED BUSINESS:

NEW BUSINESS:

CORRESPONDENCE:

1. Buena Historical Society request for Raffle License# RA02-2023
2. Buena Historical Society request for Raffle License# RA03-2023

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA					X		
ANDALORO					X		
FABRIZIO						X	

NEED MOTION TO FILE CORRESPONDENCE:

**BOROUGH OF BUENA
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Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO			X				
FABRIZIO						X	

BILLS PAID AS LISTED:

Council Member	By	2nd	Aye	Nay	Abstain	Absent	Recuse
MERIGHI			X				
ALVAREZ			X				
ADAMS			X				
BARSUGLIA			X				
ANDALORO			X				
FABRIZIO						X	

NEXT MEETING: JUNE 12, 2023

MEETING ADJOURNED: m/ ANDALORO s/ BARSUGLIA RCVU

Pamela Johnston
Acting Borough Clerk