

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
MINUTES  
MARCH 25, 2024  
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**MEETING CALLED TO ORDER: 7:00 P.M.**

**MEETING ADJOURNED: 8:07 P.M.**

**CALL MEETING TO ORDER: FLAG SALUTE**

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

**ALSO IN ATTENDANCE:** Administrator Coraluzzo, Solicitor Tonetta, Road Supervisor Bill Nimohay, Nicole Koch Clerk I, Borough Auditor Michael Garcia

**SUNSHINE LAW:** This meeting is being held in compliance with the Open Public Meetings Act and notices of this meeting have been provided, via email, to The Press of Atlantic City and The Daily Journal on November 27, 2023 as well as having been posted on the municipal bulletin board and website at [www.buenaboro.org](http://www.buenaboro.org)

**MAYOR'S REPORT:**

- Tuesday, March 19, work began to replace the 19 castings (manhole covers) on Central Ave in Minotola.
- Mayor received a letter from Atlantic County Executive Dennis Levinson regarding the flooding issues and request to resurface the roadway on Brewster Road. The Executive indicated that the County has committed to provide a full design for damage improvements with paving to follow.
- A public hearing was held at Borough Hall Thursday, March 21 regarding demolition of the old Maurelli building on Central Ave in Minotola. Assistant Solicitor Alan Giebner is taking the necessary steps to complete this task.
- A meeting is scheduled for Tuesday, April 2 at Borough Hall with Atlantic County officials regarding the flooding issues on Summer Ave and Brewster Road which will include a local resident in anticipation of providing possible solutions.
- Road Supervisor Bill Nimohay and Mayor observed parts of the Borough on Saturday during the rain storm and made notations on a variety of areas. Mr. Nimohay and the Mayor have been working closely with the County and State officials to develop a plan.
- Received an email from Assemblyman Hutchinson regarding flooding on Route 40, South Central Ave, and Kimberly Lane which was read to all in attendance wherein Assemblyman Hutchinson discussed his intent to follow up with the DOT to obtain information regarding these concerns.
- Mayor and Council will be honoring Bassetti Photo and Shae Aretz at the next council meeting of April 8, 2024

**MAYOR:** PUBLIC COMMENT: OPPORTUNITY FOR ANYONE TO COMMENT WITH A LIMIT OF FIVE (5) MINUTES PER SPEAKER. PLEASE REFER TO THE FOLLOWING STATEMENT:

PUBLIC COMMENT PROVIDES AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO INFORM THE MAYOR AND GOVERNING BODY ABOUT THEIR VIEWS. THE MAYOR AND GOVERNING BODY PRESCRIBES TO COUNCIL'S BY-LAWS AND THE NEW JERSEY STATUTES ON OPEN PUBLIC MEETINGS WHEN ENGAGING DURING PUBLIC COMMENT. AS SUCH, EACH INDIVIDUAL SHALL HAVE A 5 MINUTE LIMIT TO COMMENT; AN INDIVIDUAL CANNOT YIELD TIME TO ANOTHER

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INDIVIDUAL; AN INDIVIDUAL MAY ONLY APPROACH THE PODIUM ONCE DURING PUBLIC COMMENT FOR ANY ONE TOPIC; VULGAR OR OFFENSIVE LANGUAGE IS PROHIBITED AND MAYOR AND COUNCIL WILL NOT ENGAGE IN DIALOGUE WITH THE PUBLIC DURING THIS TIME. THE GOVERNING BODY MAINTAINS MODEL COURTESY AND RESPECT AND REQUIRES MEMBERS OF THE PUBLIC TO DO THE SAME.

**PUBLIC PORTION OF THE MEETING:**

**MOTIONED TO OPEN THE PUBLIC PORTION OF THE MEETING:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ADAMS</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>ANDALORO</u>	BARSUGLIA	X				
	ANDALORO	X				
<b>RCV</b>	DESTEFANO	X				

**Joann Rosemont, Minotola**, commended Mayor Baruffi for his dedication to ensuring the manhole covers on Central Ave were completed.

**Cheryl Lynn Walters, counsel for Taste of Earth**, indicated her client requires a D3 variance and will be in attendance at the Land Use Meeting. Ms. Walters requested Council to rescind additional licenses due to the existing sites being too close in proximity. Discussion ensued regarding existing licenses. Ms. Walters expressed her support for Tiaplanta, LLC who was also in attendance.

**Daneen Robinson** spoke in support of Tiaplanta, LLC. Ms. Robinson indicated she is a long-time resident of Buena Borough and graduated with the class of 1999. She noted Tiaplanta had been awarded a grant from the State of New Jersey and is fully funded and would be an excellent asset to the Borough.

**Ryan Thatcher, Kimberly Lane resident**, reported that he gave the easement on his property to the Borough to install a drain however, on March 24 there was 18.5” of water in the field near his residence. Mr. Thatcher offered payment to pave the road as a remedy. Mayor Baruffi acknowledged Mr. Thatcher’s concerns and stated that he will make connections with the DOT and Assemblyman Hutchinson.

**John Kulin of High Grass Farms** thanked Mayor Baruffi and Council for welcoming his business to the Borough and encouraged them to continue offering licenses to other businesses.

**Shayla Cabrera, owner of Tiaplanta, LLC**, expressed her gratitude for the Borough and looks forward to growing with the community.

**MOTIONED TO CLOSE PUBLIC PORTION:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>BARSUGLIA</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>ANDALORO</u>	BARSUGLIA	X				
	ANDALORO	X				
<b>RCV</b>	DESTEFANO	X				

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**MOTIONED TO INTRODUCE AND PASS AT FIRST READING:**

**ORDINANCE NO. 751      CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ANDALORO</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>ALVAREZ</u>	BARSUGLIA	X				
	ANDALORO	X				
<b>RCV</b>	DESTEFANO	X				

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Buena in the County of Atlantic finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$31,515.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Buena, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Buena shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$110,303.52, and that the CY 2024 municipal budget for the Borough of Buena be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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**PRESENTER: MICHAEL GARCIA, REGISTERED MUNICIPAL ACCOUNTANT**

Auditor Garcia gave an overview of the budget. Mayor Baruffi thanked all involved in preparing the budget.

**RESOLUTION 76-24            A RESOLUTION INTRODUCING AND APPROVING THE  
2024 MUNICIPAL BUDGET**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ADAMS</u>	GIOVINAZZI	<b>X</b>				
	ALVAREZ	<b>X</b>				
<b>SECOND:</b> <u>ALVAREZ</u>	ADAMS	<b>X</b>				
	BARSUGLIA	<b>X</b>				
	ANDALORO	<b>X</b>				
	DESTEFANO	<b>X</b>				
<b>RCV</b>						

**MOTIONED TO OPEN THE PUBLIC HEARING ON:**

**ORDINANCE NO. 750            AN ORDINANCE OF THE BOROUGH OF BUENA,  
COUNTY OF ATLANTIC AND STATE OF NEW JERSEY  
AMENDING ORDINANCE 705, AS AMENDED, CHAPTER  
202 SECTION 202.15C 9(a) OF THE CODE OF THE  
BOROUGH OF BUENA ENTITLED CANNABIS; FINAL  
AUTHORIZATION**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>BARSUGLIA</u>	GIOVINAZZI	<b>X</b>				
	ALVAREZ	<b>X</b>				
<b>SECOND:</b> <u>ADAMS</u>	ADAMS	<b>X</b>				
	BARSUGLIA	<b>X</b>				
	ANDALORO	<b>X</b>				
	DESTEFANO	<b>X</b>				
<b>RCV</b>						

**DISCUSSION:** None.

**MOTIONED TO CLOSE THE PUBLIC HEARING:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>BARSUGLIA</u>	GIOVINAZZI	<b>X</b>				
	ALVAREZ	<b>X</b>				
<b>SECOND:</b> <u>ADAMS</u>	ADAMS	<b>X</b>				
	BARSUGLIA	<b>X</b>				
	ANDALORO	<b>X</b>				
	DESTEFANO	<b>X</b>				
<b>RCV</b>						

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**ORDINANCE 750 ADOPTED:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>BARSUGLIA</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>ADAMS</u>	BARSUGLIA	X				
	ANDALORO	X				
	DESTEFANO	X				
<b>RCV</b>						

**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 and the Borough adopted Ordinance 705, as amended, to set forth the process for the issuance of local licenses for cannabis businesses; and

**WHEREAS**, Council required as part of the Final Authorization process, all approved applicants submit site plans and receive approval from the Buena Borough Land Use Board; and

**WHEREAS**, the Solicitor for the Land Use Board recommended that the time within which an applicant should submit site plans should be increased from 30 to 90 days to allow applicants the necessary time for their professionals to prepare and submit said plans for approval.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Borough of Buena that Ordinance 705, Chapter 202, Section 202.15C 4(a) be amended as follows:

9. Final Authorization. For applicants that have an equitable interest in the property, the Borough may grant final license approval, subject to compliance with all site plan requirements and construction rules and regulations including the issuance of a CO or TCO, if the applicant:
  - (a) Submits site plans for approval for authorization from the Buena Borough Land Use Board within 90 days of receiving conditional authorization and posts necessary escrow funds to appear before the Land Use Board.

**BE IT FURTHER ORDAINED** that the balance of Ordinance 705, as amended, Chapter 202.15C not amended hereby shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that any Ordinance or portion thereof inconsistent herewith shall be repealed and void to the extent of such inconsistency.

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



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<b>Doug Adams</b> <b>James Heisler</b> <b>Thomas Dralle</b> <b>Louis Barsuglia</b> <b>Jenna Talarico</b> <b>Pete Elias</b>	<b>Edward Casellari</b> <b>Louis Nardone</b> <b>Ronald Francis</b> <b>Aldo Palmieri</b> <b>Jerry Marinacci</b>
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15.	John Keenan, Zoning Officer	\$10,000.00
16.	James Hoffman, Enforcement Officer	\$ 8,318.37
17.	James Hoffman, Occupancy Inspector	\$ 3,429.76
18.	James Hoffman, Construction Code Official	\$ 1,948.37
19.	James Hoffman, Building Code Official	\$ 9,741.89
20.	Dennis LaSassa, Plumbing Sub Code Official	\$ 8,832.64
21.	John Ciliberti, Fire Sub Code Official	\$ 25.50
22.	Joseph Rizzuto, Electrical Sub Code Official	\$ 7,355.59
23.	William Nimohay, Streets & Roads Supervisor	\$81,638.66
24.	Eric DeFava, Emergency Management Coordinator	\$ 561.00
25.	Rhonda Ciruolo, EMS Chief	\$80,000.00

B. The following employees shall be paid at the hourly rate hereinafter set forth or as otherwise stated:

1.	Joseph Aupperle, Streets & Roads, Laborer 2	\$ 22.50
	Leonard Coco, Streets & Roads Laborer 2	\$ 28.00
	Michael Corsiglia, Streets & Roads Laborer 2	\$ 24.25
	Thomas Reeves, Streets & Roads, Laborer 2	\$ 19.96
2.	Diane Bassetti, Part Time, Clerk 1	\$ 19.77
3.	Michael Rodriguez, Sr Part Time EMS	\$ 23.00
4.	Angel Calixto-Gomez, Full Time EMS	\$ 26.00
5.	<b><u>PART TIME EMS</u></b>	\$ 20.00
6.	<b><u>WEEKEND DIFFERENTIAL FOR EMS</u></b>	
	Sr. Part-Time EMS	\$ 25.00
	Part-Time/Per Diem EMS	\$ 22.00

\*\* No retro pay to January 1, 2024

**RESOLUTION 78-24**

**A RESOLUTION APPOINTING JOHN-CARLOS TORRES,  
KIMBERLY CRUZ, AND JAMIE HAUSMANN AS FULL-  
TIME EMERGENCY MEDICAL TECHNICIANS  
EFFECTIVE APRIL 1, 2024**

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Council President Adams explained that public safety is the most expensive item on the budget and noted that hiring new EMS will save on overtime costs.

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>DESTEFANO</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>ALVAREZ</u>	BARSUGLIA	X				
	ANDALORO	X				
	DESTEFANO	X				
<b>RCV</b>						

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

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

**WHEREAS**, Chief Ciraolo and Lieutenant Rodriquez conducted interviews and have recommended promoting John-Carlos Torres, Kimberly Cruz, and Jamie Hausmann as the candidates to fill said positions, effective April 1, 2024.

**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 candidates as Full-Time Emergency Medical Technicians based on their qualifications with a start date effective April 1, 2024, and conditioned upon the successful completion of the hiring phases set forth in the Policy and Procedures of the Borough of Buena.

**BE IT FURTHER RESOLVED**, that John-Carlos Torres, Kimberly Cruz, and Jamie Hausmann shall be hired at the rate of \$25.00 per hour.

**RESOLUTION 79-24                    A RESOLUTION OF THE BOROUGH OF BUENA,  
COUNTY OF ATLANTIC, AUTHORIZING THE  
EXECUTION OF AN AMENDED MEMORANDUM OF  
AGREEMENT WITH CHIEF RHONDA CIRAOLO**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ADAMS</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>BARSUGLIA</u>	BARSUGLIA	X				
	ANDALORO	X				
	DESTEFANO	X				
<b>RCV</b>						

**WHEREAS**, on April 26, 2021, Borough Council adopted Resolution 53-21 authorizing the execution of a Memorandum of Agreement by and between the Borough of Buena and Rhonda Ciraolo, Chief of the Emergency Medical Services for the Borough, and an Agreement was executed thereafter; and

**WHEREAS**, said executed Agreement set forth a salary at \$70,000.00 per annum commencing January 1, 2021 and continuing through June 30, 2026 with set hours of 40 hours per

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week; and

**WHEREAS**, the Agreement failed to outline any terms regarding the payment of overtime or compensatory time; and

**WHEREAS**, subsequent to the execution of the Agreement, due to staffing shortages, Chief Ciraolo was required to work hours beyond the regular 40-hour work week to provide emergency medical services to the Borough residents and was justifiably paid overtime for such services; and

**WHEREAS**, on April 9, 2014, the Office of the New Jersey State Comptroller advised all municipalities that the Fair Labor Standards Act (FLSA) does not require executive or administrative employees overtime or compensatory time and that the FLSA defines such executive or administrative employees as those who, among other duties, “regularly directs the work of two or more other employees and who has the authority to make recommendations as to job status of other employees” and further recommended that all municipalities discontinue the practice of paying overtime or compensatory time to such administrative employees without the adoption of an Ordinance allowing such practice to continue; and

**WHEREAS**, in order to comply with the recommendations of the New Jersey State Comptroller, while being fair to Chief Ciraolo, Borough Council and Chief Ciraolo feel it is necessary to amend the Agreement so as to increase the salary to recognize the added hours the Chief puts forth and further allowing the Chief to “flex” her schedule once adequate staffing is in place to alleviate her necessary extra hours thereby doing away with overtime or compensatory time.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Buena that the Mayor and Clerk are hereby authorized to execute an amended Memorandum of Agreement in the form and substance as attached hereto and made a part hereof subject to non-material changes as recommended by the Solicitor.

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**RESOLUTION 80-24                    A RESOLUTION OF THE BOROUGH OF BUENA  
AWARDING A CONTRACT TO ZONE STRIPING, INC.,  
FOR FOUR-INCH-WIDE LATEX PAINT TRAFFIC  
STRIPES ON FOREST GROVE ROAD, FROM CENTRAL  
AVENUE TO HARDING HIGHWAY (ROUTE 40) IN THE  
BOROUGH OF BUENA**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
	GIOVINAZZI	X				
<b>MOTION:</b> <u>ALVAREZ</u>	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>BARSUGLIA</u>	BARSUGLIA	X				
	ANDALORO	X				
<b>RCV</b>	DESTEFANO	X				

**WHEREAS**, the Mayor and Council of the Borough of Buena, through a traffic calming study, evaluated conditions along Forest Grove Road from Central Avenue to Harding Highway to determine if pedestrian safety improvements could be implemented to encourage reduced vehicular speeds; and

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**WHEREAS**, DeBlasio & Associates, the Engineers in charge of the study solicited quotes for striping services, and has recommended that the contract be awarded to Zone Striping, Inc. for an amount not exceeding \$3,800.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena provided the CFO has certified the availability of funds, that the Mayor and Clerk are authorized to execute an Agreement with Zone Striping, Inc., for four-inch-wide latex paint traffic stripes on Forest Grove Road from Central Avenue to Harding Highway (Route 40), including mobile traffic control, in an amount not to exceed \$3,800.00.

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**RESOLUTION 81-24            BOROUGH OF BUENA 2024 EMERGENCY TEMPORARY BUDGET**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>BARSUGLIA</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>ANDALORO</u>	BARSUGLIA	X				
	ANDALORO	X				
	RCV DESTEFANO	X				

**WHEREAS**, an emergent condition has arisen with respect to providing appropriation for expenditures and no adequate provision has been made in the 2024 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2024 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40A:4-20) including this resolution total \$1,578,001.50.

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with the provisions of N.J.S. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for the attached list of line items.
2. That said emergency temporary appropriations will be provided for in 2024 municipal budget as adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations shall constitute the Borough of Buena 2024 Temporary Budget:

<b>General Government:</b>		
<b>Municipal Clerk</b>		
Other Expenses		3,000.00
<b>Governing Body</b>		
Other Expenses		1,000.00
<b>Tax Assessor</b>		
Other Expenses		1,000.00
<b>Audit Contract Services</b>		
Other Expenses		4,000.00
<b>Legal Services</b>		
Other Expenses		10,000.00
<b>Land Use Board</b>		
Other Expenses		1,000.00
<b>Public Safety:</b>		
<b>Emergency Medical Services</b>		
Other Expenses		15,000.00
<b>Unclassified:</b>		

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Street Lights

20,00000

**RESOLUTION 82-24      A RESOLUTION AUTHORIZING THE SALE OF  
PERSONAL PROPERTY BY SEALED BID TO THE  
HIGHEST BIDDER**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ADAMS</u>	GIOVINAZZI	<b>X</b>				
	ALVAREZ	<b>X</b>				
	ADAMS	<b>X</b>				
<b>SECOND:</b> <u>BARSUGLIA</u>	BARSUGLIA	<b>X</b>				
	ANDALORO	<b>X</b>				
<b>RCV</b>	DESTEFANO	<b>X</b>				

**WHEREAS**, the Borough of Buena owns a certain parcel of property situated at 328 Brewster Road known as Black Water Bond Recreational Area; and

**WHEREAS**, the grass grown on the property can be used for hay to feed farm animals; and

**WHEREAS**, the Council of the Borough of Buena has determined that the grass crop is not needed for public use and that it is in the best interests of the citizens of the Borough of Buena that the grass be cut in order to make the property more functional for recreational purposes; and

**WHEREAS**, N.J.S.A. 40A:12-13.1 authorizes the sale by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public use by sale in the manner provided by law; and

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Buena, that:

1. The sale of the grass crop on the property known as Black Water Pond Recreational Area shall be conducted on April 17, 2024 at 12:00 noon by the Acting Clerk or designee at 616 Central Avenue Minotola, NJ 08341
2. The sale of personal property shall be made by sealed bid and shall be sold to the highest bidder, subject to acceptance of such bid by resolution of the Council of the Borough of Buena which reserves the right to reject all bids where the highest bid is not accepted. The monies received from the sale shall be turned over to the Chief Financial Officer for deposit into the Recreation Trust Account.
3. The Borough Clerk shall publish in a newspaper circulating within the Borough of Buena, County of Atlantic and State of New Jersey, on April 2 16, 2024 and April 9, 2024 and a notice of the aforementioned sale of the personal property shall be posted on the bulletin board in the municipal building and posted on the municipal website.

**RESOLUTION 83-24      A RESOLUTION OF THE BOROUGH OF BUENA  
AWARDING A CONTRACT TO DEBLAISO &  
ASSOCIATES FOR ENGINEERING SERVICES FOR THE  
CDBG PROJECT ADA COMPLIANT RESTROOM  
BUILDING IMPROVEMENTS AT BRUNO MELINI PARK**

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	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ANDALORO</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>BARSUGLIA</u>	BARSUGLIA	X				
	ANDALORO	X				
	<b>RCV</b>	DESTEFANO	X			

**WHEREAS**, certain engineering services need be provided for the CDBG Project ADA Compliant Restroom Building Improvements at Bruno Melini Park; and

**WHEREAS**, the Borough Engineer’s DeBlasio, have presented a proposal to complete said services in the amount of \$27,000.00.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Buena that the engineer is hereby retained for CDBG Engineering Services for CDBG Project ADA Compliant Restroom Building Improvements at Bruno Melini Park

**BE IT FURTHER RESOLVED** that the award is contingent upon the receipt of a Certificate of Availability of Funds from the Chief Financial Officer.

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**MOTIONED TO PAY BILLS AS LISTED:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ALVAREZ</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>BARSUGLIA</u>	BARSUGLIA	X				
	ANDALORO	X				
	<b>RCV</b>	DESTEFANO	X			

**MOTIONED TO APPROVE THE MINUTES OF THE WORKSHOP AND REGULAR MEETING OF MARCH 11, 2024:**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ANDALORO</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
<b>SECOND:</b> <u>ADAMS</u>	BARSUGLIA	X				
	ANDALORO	X				
	<b>RCV</b>	DESTEFANO	X			

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**SOLICITOR’S REPORT:**

Mayor Baruffi requested Solicitor Tonetta prepare the following resolution.

**RESOLUTION NO. 84-24 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING A CONTINUED PRELIMINARY INVESTIGATION TO BE MADE BY THE BUENA BOROUGH LAND USE BOARD TO DETERMINE WHETHER BLOCK 145 LOT 8.04 REMAINS AN AREA IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-1 ET SEQ.**

	<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
<b>MOTION:</b> <u>ADAMS</u>	GIOVINAZZI	X				
	ALVAREZ	X				
<b>SECOND:</b> <u>ANDALORO</u>	ADAMS	X				
	BARSUGLIA	X				
	ANDALORO	X				
<b>RCV</b>	DESTEFANO	X				

**WHEREAS**, in 2006, Borough Council adopted Resolution 107-06 directing the Land Use Board to undertake a preliminary investigation to determine whether Block 145 lot 8.04 among other contiguous lots met the criteria of an area in need of redevelopment in accordance with N.J.S.A. 40A: 12A-5; and

**WHEREAS**, on March 27, 2007 the Buena Borough Land Use Board adopted Resolution 2007-11 wherein the Board found that Lot 8.04 met the criteria set forth in N.J.S.A. 40A:12A-5(c), (e) and (h) as an area in need of redevelopment; and

**WHEREAS**, on April 9, 2007 the Borough Council adopted Resolution 41-07 directing the Land Use board create a Redevelopment Plan and recommended the adoption of an Ordinance adopting the Redevelopment Plan for the Commerce Center Redevelopment Area prepared by Remington, Vernick and Walberg, licensed Professional Planners, dated May, 2007 (Plan); and

**WHEREAS**, on July 5, 2007 the State of New Jersey Department of Community Affairs, Office of Smart Growth approved Lot 8.04 as an area in need of redevelopment; and

**WHEREAS**, on May 27, 2008, Borough Council adopted Ordinance 559 an Ordinance adopting the Commerce Center Redevelopment Plan consistent with Resolution 2008-6 of the Land Use Board; and

**WHEREAS**, at Section XII of the Plan adopted by Borough Council is to be “in effect for a period of ten (10) years from the date of adoption by the Borough Council...Nothing herein shall be construed to limit the ability of the Governing Body to extend the duration of this Redevelopment Plan...upon the adoption of an Ordinance authorizing same; and

**WHEREAS**, as the Redevelopment Plan end date, without any extension, was May 27, 2018 and Council finds it to be in the best interest of the Borough for a subsequent investigation take place by the Buena Borough Land Use Board consistent with N.J.S.A. 40A:12A-5 to determine if the reasons set forth for the adoption of Ordinance 559 or such other criteria remain

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and to confirm that the Redevelopment Plan for the Commerce Center Redevelopment Area is consistent with the Buena Borough master Plan and to provide recommendations regarding the adoption of an Ordinance extending the duration of the Redevelopment Plan.

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

1. The Buena Borough Land Use Board shall and the same is hereby authorized and directed to conduct hearings and investigations as required to determine whether the area designated as Block 145 Lot 8.04, continues to meet the criteria as an area in need of redevelopment as defined by N.J.S.A. 12A-1, et seq. Said hearings shall be in accordance with the requirements as a Non-Condensation Redevelopment Area.
2. Upon completion of such hearings and investigations, the Planning Board shall make recommendations and report to the Borough Council for approval regarding the area continuing to be considered a redevelopment area as defined in N.J.S.A. 12A-1, et seq.
3. The Land Use Board shall consider the Redevelopment Plan for the Commerce Center Redevelopment Area prepared by Remington, Vernick and Walberg dated May 2007 and provide comment as to the consistency of the Redevelopment Plan with the Buena Borough Master Plan and recommendations regarding the extension of the redevelopment Plan for an additional period of time for the proper redevelopment of the Redevelopment Area.

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**COMMITTEE REPORTS:**

***PLANNING/ZONING/INSPECTIONS: (CHAIRMAN, RICHARD GIOVINAZZI)***

Councilman Giovinazzi reported five code enforcement complaints noting two complied.

***FINANCE/TAX COLLECTOR/ASSESSOR: (CHAIRMAN, JORGE ALVAREZ)***

None.

***PUBLIC SAFETY/STREET LIGHTS: (CHAIRMAN, DOUGLAS ADAMS)***

Council President Adams provided February's EMS and public safety report.

- Announced that it was the first monthly report for Buena Borough Fire Department.
- Presented new fire department emblem and reported activity noting that the department assisted Williamstown with a large fire and Ventnor requested assistance for a down water tower.
- Reminded all to report streetlight outage to him via email or phone.

***RECREATION: (CHAIRWOMAN MARINA BARSUGLIA)***

- Breakfast with the Easter Bunny and egg hunt on Saturday, March 30 at 10 AM noting that the fire truck will bring the Easter Bunny.
- Buena Little League will open April 13.
- Golf will open on June 21.

***BLDGS/GROUNDS/IMPROVEMENTS: (CHAIRWOMAN, PATRICIA ANDALORO)***

- Preparing bid package for ADA doors and to replace roof for Senior Building.
- The park is preparing for baseball season.

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***ROADS/RECYCLING: (CHAIRMAN, FRANK DESTEFANO)***

Councilman DeStefano reported that Atlantic City Electric is trimming trees around the power lines in the Borough.

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**NEXT MEETING:** 6:30 P.M. WORKSHOP AND 7:00 P.M. REGULAR APRIL 8, 2024

**MEETING ADJOURNED: M/BARSUGLIA      S/ANDALORO      RCVU**

/S/ Nicole Koch  
Nicole Koch, Clerk 1