

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
AGENDA
SEPTEMBER 11, 2023
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**MEETING CALLED TO ORDER: P.M.
MEETING ADJOURNED: P.M.**

CALL MEETING TO ORDER: FLAG SALUTE

ROLL CALL OF ATTENDANCE:

Council Member	Present	Absent
MERIGHI		
ALVAREZ		
ADAMS		
BARSUGLIA		
ANDALORO		
FABRIZIO		

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 18, 2022 as well as having been posted on the municipal bulletin board and website at www.buenaboro.org

MAYOR'S REPORT: FIRST ORDER OF BUSINESS.

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 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.

CERTIFICATES OF RECOGNITION: **BILLY LITZNER
ELLA ARNOLD
JOSEPH WHEELER
JENNIFER ARCHER
MIKE ELLIS
JENNIFER BREWER
VINCE BERTUCCI**

PRESENTATION AND CERTIFICATE OF RECOGNITION:
**DAVID FIOCCHI
NINOS AMIGOS**

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PUBLIC PORTION OF THE MEETING:

MOTION TO OPEN THE PUBLIC PORTION OF THE MEETING:

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

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

MOTION TO CLOSE PUBLIC PORTION:

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

NEED MOTION TO OPEN THE PUBLIC HEARING ON:

**ORDINANCE NO. 734 AN ORDINANCE APPOINTING THE BUENA BOROUGH
CLERK AS ISSUING AUTHORITY FOR BINGO AND
RAFFLE LICENSES**

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

DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING:

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

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ORDINANCE NO. 734 ADOPTED:

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

WHEREAS, in accordance with N.J.A.C. 13:47-1.1, the Borough Council is the issuing authority for licenses to perform certain games of chance entitled raffle and bingo licenses; and

WHEREAS, in as much as Borough Council regularly meets bi-weekly, formal action of the Borough Council is limited to those meetings and therefore requests for raffle and bingo licenses which are typically time-sensitive may not be considered and granted prior to the date set for the event; and

WHEREAS, N.J.A.C. 13: 47-1.1 authorizes the Borough Council to designate another individual as the issuing authority to approve and grant raffle and bingo licenses; and

WHEREAS, the Council of the Borough of Buena finds it to be in the best interest of the Borough to allow an individual to issue said licenses, thereby avoiding the necessity of special sessions of Borough Council to accommodate applicants and to consider the issuance of licenses in a timely manner.

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

1. Games of chance may be conducted in the Borough of Buena on the first day of the week commonly known and designated as "Sunday," in accordance with the provisions of N.J.S.A. 5:8-31 and N.J.S.A. 5:8-58, as may be permitted by N.J.S.A. 5:8-24 et seq. and N.J.S.A. 5:8-50 et seq., provided that the applicant for the license to conduct such game otherwise qualifies under the provisions of the aforementioned statutes of the State of New Jersey and the rules and regulations of the Legalized Games of Chance Control Commission and, specifically, provided that the organization conducting the games is a charitable, religious or other organization specifically qualifying under the provisions of the aforementioned statutes.
2. The Clerk of the Borough of Buena is hereby designated as the issuing authority to approve and grant raffle and bingo licenses subject to compliance with N.J.A.C. 13:47-1 et seq.

All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are and the same are hereby repealed.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:

ORDINANCE NO. 735 AN ORDINANCE OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AMENDING ORDINANCE 705, AS AMENDED, CHAPER 202 OF THE CODE OF THE BOROUGH OF BUENA ENTITLED CANNABIS

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

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, on March 28, 2022 Borough Council adopted Ordinance No. 705, Chapter 202 of the Code of the Borough of Buena setting forth certain enabling legislation regarding the issuance of cannabis licenses for the Borough and thereafter Borough Council adopted ordinance No. amending Ordinance 705 setting forth the number of specific class of cannabis licenses permitted in the Borough and criterion to obtain a cannabis license; and

WHEREAS, Borough Council has determined that it is in the best interest of the Borough to amend the number of Class II Cannabis Manufacturer licenses from one (1) to two (2) licenses and to amend the members of the Cannabis Advisory Committee to remove the Borough Engineer as a member and replace that position with the Zoning Officer or his/her designee.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Buena that Ordinance 705, Chapter 202 of the Code of the Borough of Buena be and is hereby amended as follows:

Section 202.12 Definitions shall be amended with the following definition:

Cannabis Advisory Committee (CAC) shall mean a committee created for the purpose of reviewing and grading all applicants and proposals for the receipt of any cannabis business within the Borough and consisting of the following;

- a. Mayor or Designee
- b. Two members of the governing body appointed by the governing body.
- c. Borough Zoning Officer or designee
- d. Business Administrator
- e. Director of Public Safety
- f. One Business Owner operating a business and residing within the Borough

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Section 202.15 A. shall be deleted in its entirety and replaced as follows:

- A. **Maximum number of licenses.** The Borough may issue not more than two Class I Cannabis Cultivator Licenses; not more than two Class II Cannabis manufacture Licenses; not more than one Class III Cannabis Wholesaler Licenses; not more than one Class IV Cannabis Distributor Licenses, not more than one Class V Cannabis Retailer Licenses and not more than one Class VI Cannabis Delivery Service License Licensure in all classes may be, but are not required to be, held by the same entity or individual. Any license conditionally issued by the Borough is contingent upon the locally licensed entity's or individual's subsequent receipt of a State license or permit of the same class or type of regulated cannabis activity. Under no circumstance shall a local permit or conditional license for a cannabis establishment issued through the Borough be effective until the State has issued the requisite licenses to operate such a facility.

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.

1. **Effective Date.** This Ordinance shall take effect upon passage and publication as required by law.

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

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

- RESOLUTION NO. 129-23 A RESOLUTION ACCEPTING THE RESIGNATION OF KENNEDY SANTIAGO-JIMENEZ AS EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS.
- RESOLUTION NO. 130-23 A RESOLUTION ACCEPTING THE RESIGNATION OF ALLEN REMLEY AS EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS.
- RESOLUTION NO. 131-23 A RESOLUTION OF THE BOROUGH OF BUENA REJECTING BIDS RECEIVED FOR NJDOT MUNICIPAL AID PROGRAM FY2022- RECONSTRUCTION OF E. FLOWER STREET AND FY2023- RECONSTRUCTION OF SOUTH BOULEVARD

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- RESOLUTION NO 132-23 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, APPROVING THE EMPLOYMENT OF NICOLE KOCH AS CLERK I, PART TIME
- RESOLUTION NO. 133-23 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE ISSUANCE OF A CLASS I ANNUAL CANNABIS CULTIVATION LICENSE TO GREEN THUMB GROWING COMPANY LLC, BLOOMFIELD, MICHIGAN CONDITIONED UPON THE ISSUANCE OF AN ANNUAL LICENSE BY THE NEW JERSEY CANNABIS REGULATORY COMMISSION AND THE EXECUTION OF A HOST COMMUNITY AGREEMENT
- RESOLUTION NO. 134-23 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE ISSUANCE OF A CLASS II ANNUAL CANNABIS MANUFACTURER LICENSE TO GREEN THUMB GROWING COMPANY LLC, BLOOMFIELD, MICHIGAN CONDITIONED UPON THE ISSUANCE OF AN ANNUAL LICENSE BY THE NEW JERSEY CANNABIS REGULATORY COMMISSION AND THE EXECUTION OF A HOST COMMUNITY AGREEMENT
- RESOLUTION NO. 135-23 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE ISSUANCE OF A CLASS I ANNUAL CANNABIS CULTIVATION LICENSE TO JM LEAFS, LLC, FORT LEE, NEW JERSEY CONDITIONED UPON THE ISSUANCE OF AN ANNUAL LICENSE BY THE NEW JERSEY CANNABIS REGULATORY COMMISSION AND THE EXECUTION OF A HOST COMMUNITY AGREEMENT
- RESOLUTION NO. 136-23 A RESOLUTION OF THE BOROUGH OF BUENA PLACING A LIEN ON PROPERTY FOR IN ACCORDANCE WITH ORDINANCE 642
- RESOLUTION NO. 137-23 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE EXCLUSION OF THE PUBLIC FROM A MEETING BETWEEN THE MAYOR, BOROUGH COUNCIL, BOROUGH CLERK AND STAFF, BOROUGH SOLICITOR AND STAFF AND BUSINESS ADMINISTRATOR CONCERNING CONTRACT NEGOTIATIONS REGARDING FIRE SUPPRESSION SERVICES AND AUTHORIZING THE DISCLOSURE OF MINUTES OF SAID MEETING AS PROVIDED HEREIN
- RESOLUTION NO. 138-23 A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF CENTRAL AVENUE (CR 627), TO THROUGH TRAFFIC ON SEPTEMBER 17, 2023, FROM 12:00 P.M. TO 1:00 P.M. AND DIRECTING THE BOROUGH OF BUENA RECREATION COMMISSION TO SUBMIT AN APPLICATION TO THE ATLANTIC COUNTY ENGINEER FOR A PERMIT APPROVING SAID TEMPORARY CLOSURE
- BILLS PAID AS LISTED
- CLERK’S REPORT
MINUTES OF THE WORKSHOP MEETING OF AUGUST 7, 2023
MINUTES OF THE REGULAR MEETING OF AUGUST 7, 2023

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

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SOLICITOR'S REPORT:

RICHARD TONETTA, BOROUGH SOLICITOR

ENGINEER'S REPORT:

MARC DEBLASIO, P.E., P.P., C.M.E.
BOROUGH ENGINEER

GRANT APPLICATIONS

1. FY2023 NJDCA LOCAL RECREATION IMPROVEMENT GRANT (LRIG)
 - OUR OFFICE COMPLETED AND SUBMITTED THE CONCEPT SITE PLAN AND ENGINEER'S ESTIMATE TO THE AUBREY GROUP ON JANUARY 10TH.
 - IT IS OUR UNDERSTANDING THAT THE AUBREY GROUP HAS SUBMITTED THE GRANT APPLICATION TO THE NJDCA WHICH IS CURRENTLY UNDER REVIEW.

CAPITAL PROJECTS

1. FY2022 AND FY2023 NJDOT MUNICIPAL AID - RECONSTRUCTION OF E. FLOWER STREET AND SOUTH BOULEVARD
 - THE BOROUGH HAS BEEN NOTIFIED BY THE NJDOT THAT \$285,000.00 IN FY2022 GRANT FUNDS HAVE BEEN AWARDED FOR THE RECONSTRUCTION OF E. FLOWER STREET, E. SUMMER ROAD AND SOUTH BOULEVARD.
 - THE BOROUGH HAS BEEN NOTIFIED BY THE NJDOT THAT \$261,640.00 IN FY2023 GRANT FUNDS HAVE BEEN AWARDED FOR THE RECONSTRUCTION OF E. FLOWER STREET, E. SUMMER ROAD AND SOUTH BOULEVARD.
 - DUE TO THE FACT THAT THE PROJECT COSTS EXCEED THE COMBINED GRANT AMOUNTS AND THERE APPEARS TO BE A POTENTIAL SANITARY SEWER PIPE COLLAPSE ON E. SUMMER ROAD, THE BOROUGH HAS DECIDED TO PROCEED WITH JUST SOUTH BOULEVARD AND E. FLOWER STREET.
 - THE BID OPENING OCCURRED ON AUGUST 1, 2023 AND THE APPARENT LOW BIDDER WAS ASPHALT PAVING SYSTEMS, INC. IN THE AMOUNT OF \$528,395.00.
 - THE BIDS EXCEEDED THE ENGINEER'S ESTIMATE AND WERE REJECTED. THE PROJECT WILL BE ADVERTISED FOR RE-BID.

2. CDBG ADA BUILDING IMPROVEMENTS
 - OUR OFFICE HAS REQUESTED A REVISED PROPOSAL FROM OSK ARCHITECTS. OUR OFFICE WILL SEND AN UPDATED PROPOSAL UPON RECEIPT.

NEXT MEETING: SEPTEMBER 25, 2023

MEETING ADJOURNED: **M/** _____ **S/** _____ **ALL IN FAVOR? ANY**
OPPOSED?

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RESOLUTION NO. 129-23

A RESOLUTION ACCEPTING THE RESIGNATION OF KENNEDY SANTIAGO-JIMENEZ AS EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the following resignation be regrettfully accepted effective immediately:

Kennedy Santiago-Jimenez

RESOLUTION NO. 130-23

OLUTION ACCEPTING THE RESIGNATION OF ALLEN REMLEY AS EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the following resignation be regrettfully accepted effective immediately:

Allen Remley

RESOLUTION NO. 131-23

A RESOLUTION OF THE BOROUGH OF BUENA REJECTING BIDS RECEIVED FOR NJDOT MUNICIPAL AID PROGRAM FY2022- RECONSTRUCTION OF E. FLOWER STREET AND FY2023- RECONSTRUCTION OF SOUTH BOULEVARD

WHEREAS, bids were received for the N.J.D.O.T. Municipal Aid Program FY2022- Reconstruction of E. Flower Street and FY2023- Reconstruction of South Boulevard on August 2, 2023; and

WHEREAS, the sole bid received exceeds funding received and the Engineer's estimate.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Buena that the sole bid received for the N.J.D.O.T. Municipal Aid Program FY2022- Reconstruction of E. Flower Street and FY2023- Reconstruction of South Boulevard on August 2, 2023 is hereby rejected.

BE IT FURTHER RESOLVED, that the Engineer is hereby authorized to rebid the N.J.D.O.T. Municipal Aid Program FY2022- Reconstruction of E. Flower Street and FY2023- Reconstruction of South Boulevard projects.

RESOLUTION NO. 132-23

A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, APPROVING THE EMPLOYMENT OF NICOLE KOCH AS CLERK I, PART TIME

WHEREAS, the Borough of Buena Clerk's Office is short staffed and it is recommended that the position of Clerk I, Part Time, providing services for 25 hours per week be filled to assist that office; and

WHEREAS, interviews were conducted for a Clerk I Part Time position and it is recommended by the Business Administrator that the position be filled by Nichole Koch.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that Nichole Koch be employed as a Clerk I, Part Time, serving 25 hours per week or for such additional hours permitted as a Part Time employee as are needed at the hourly rate of \$17.00 Commencing September 12, 2023.

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RESOLUTION NO. 133-23

**A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE
ISSUANCE OF A CLASS I ANNUAL CANNABIS CULTIVATION LICENSE TO GREEN THUMB
GROWING COMPANY LLC, BLOOMFIELD, MICHIGAN CONDITIONED UPON THE
ISSUEANCE OF AN ANNUAL LICENSE BY THE NEW JERSEY CANNABIS REGULATORY
COMMISSION AND THE EXECUTION OF A HOST COMMUNITY AGREEMENT**

WHEREAS, the Borough of Buena has two Class I Cannabis Cultivator licenses (License) available for issuance to qualified Cannabis Businesses wishing to locate within the Borough; and

WHEREAS, the Borough has requested proposals be submitted to the Buena Borough Cannabis Advisory Committee (CAC) for review to make recommendations to the Governing Body regarding the issuance of a Buena Borough license in accordance with Chapter 202 of the Code of the Borough of Buena; and

WHEREAS, Green Thumb Growing Company LLC (Green Thumb) has heretofore received a Conditional License from the State of New Jersey Cannabis Regulatory Commission indicating they qualify to operate a cannabis business within the State and has submitted a proposal for one of the two available Class I licenses; and

WHEREAS, the CAC has reviewed the submission, has graded the proposal and has determined that Green Thumb wishes to operate a Cannabis Class II license at property located at 345 Weymouth Road, Buena, is properly zoned for such a business and has further scored high enough to qualify for a Buena Borough Class I license

WHEREAS, the Proposal submitted by Green Thumb is incorporated herewith as if set forth at length and the recommendation by the CAC is accepted and approved subject to the issuance of a State license, the execution of a Host Community Agreement containing all of the terms contained in the proposal submitted by Green Thumb and the issuance of a Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO) for the Class I licensed premises; and

WHEREAS, the Council of the Borough of Buena finds it to be in the best interest of the Borough to issue a license to operate a Class I Cultivation license to Green Thumb conditioned upon the issuance of an annual license by the State of New Jersey, the execution of a Host Community Agreement containing all of the terms contained in the proposal submitted by Green Thumb and the issuance of a CO or TCO.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that upon the issuance of an annual license by the State of New Jersey, the execution of a Host Community Agreement containing all of the terms contained in the proposal submitted by Green Thumb and the issuance of a CO or TCO the Mayor and Borough Acting Clerk are authorized to issue an annual license to Green Thumb Growing Company LLC, Bloomfield, Michigan for a Class I Cultivator business at 345 Weymouth Road, Buena New Jersey

RESOLUTION NO. 134-23

**A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE
ISSUANCE OF A CLASS II ANNUAL CANNABIS MANUFACTURER LICENSE TO GREEN
THUMB GROWING COMPANY LLC, BLOOMFIELD, MICHIGAN CONDITIONED UPON THE
ISSUANCE OF AN ANNUAL LICENSE BY THE NEW JERSEY CANNABIS REGULATORY
COMMISSION AND THE EXECUTION OF A HOST COMMUNITY AGREEMENT**

WHEREAS, the Borough of Buena has one Class II Cannabis Manufacture licenses (License) available for issuance to qualified Cannabis Businesses wishing to locate within the Borough; and

WHEREAS, the Borough has requested proposals be submitted to the Buena Borough Cannabis Advisory Committee (CAC) for review to make recommendations to the Governing Body regarding the issuance of a Buena Borough license in accordance with Chapter 202 of the Code of the Borough of Buena; and

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WHEREAS, Green Thumb Growing Company LLC (Green Thumb) has heretofore received a Conditional License from the State of New Jersey Cannabis Regulatory Commission indicating they qualify to operate a cannabis business within the State and has submitted a proposal for one of the two available Class II licenses; and

WHEREAS, the CAC has reviewed the submission, has graded the proposal and has determined that Green Thumb wishes to operate a Cannabis Class II license at property located at 345 Weymouth Road, Buena, is properly zoned for such a business and has further scored high enough to qualify for a Buena Borough Class II license; and

WHEREAS, the Proposal submitted by Green Thumb is incorporated herewith as if set forth at length and the recommendation by the CAC is accepted and approved subject to the issuance of a State license, the execution of a Host Community Agreement containing all of the terms contained in the proposal submitted by Green Thumb and the issuance of a Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO) for the Class II licensed premises; and

WHEREAS, the Council of the Borough of Buena finds it to be in the best interest of the Borough to issue a license to operate a Class II Manufacture license to Green Thumb conditioned upon the issuance of an annual license by the State of New Jersey, the execution of a Host Community Agreement containing all of the terms contained in the proposal submitted by Green Thumb and the issuance of a CO or TCO.

RESOLUTION NO. 135-23

**A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC,
AUTHORIZING THE ISSUANCE OF A CLASS I ANNUAL CANNABIS
CULTIVATION LICENSE TO JM LEAFS, LLC, FORT LEE, NEW JERSEY
CONDITIONED UPON THE ISSUEANCE OF AN ANNUAL LICENSE BY THE NEW
JERSEY CANNABIS REGULATORY COMMISSION AND THE EXECUTION OF A
HOST COMMUNITY AGREEMENT**

WHEREAS, the Borough of Buena has two Class I Cannabis Cultivator licenses (License) available for issuance to qualified Cannabis Businesses wishing to locate within the Borough; and

WHEREAS, the Borough has requested proposals be submitted to the Buena Borough Cannabis Advisory Committee (CAC) for review to make recommendations to the Governing Body regarding the issuance of a Buena Borough license in accordance with Chapter 202 of the Code of the Borough of Buena; and

WHEREAS, JM Leafs, LLC (JM) has heretofore received a Conditional License from the State of New Jersey Cannabis Regulatory Commission indicating they qualify to operate a cannabis business within the State and has submitted a proposal for one of the two available Class I licenses; and

WHEREAS, the CAC has reviewed the submission, has graded the proposal and has determined that JM wishes to operate a Cannabis Class I license at property located at 385 East Wheat Road, Buena, is properly zoned for such a business and has further scored high enough to qualify for a Buena Borough Class I license

WHEREAS, the Proposal submitted by JM is incorporated herewith as if set forth at length and the recommendation by the CAC is accepted and approved subject to the issuance of a State license, the execution of a Host Community Agreement containing all of the terms contained in the proposal submitted by JM and the issuance of a Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO) for the Class I licensed premises; and

WHEREAS, the Council of the Borough of Buena finds it to be in the best interest of the Borough to issue a license to operate a Class I Cultivation license to JM conditioned upon the issuance of an annual license by the State of New Jersey, the execution of a Host Community Agreement containing all of the terms contained in the proposal submitted by JM and the issuance of a CO or TCO.

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RESOLUTION NO. 136-23

**A RESOLUTION OF THE BOROUGH OF BUENA PLACING A LIEN ON BLOCK 135, LOT 11, 306
NORTH WEST BOULEVARD, IN ACCORDANCE WITH ORDINANCE 642**

WHEREAS, the Borough of Buena established legal right to clear and lien properties in accordance with Ordinance 642; and

WHEREAS, the property located at 306 North West Boulevard sustained damage due to an explosion; and

WHEREAS, the property has been cleared by the Borough of Buena and charges established for time and equipment per Ordinance 642;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that 306 North West Boulevard shall have a lien for lot clearance and the placement of a fence in the amount of \$18,196.40 placed upon it upon passage of this resolution.

RESOLUTION NO. 137-23

**A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE
EXCLUSION OF THE PUBLIC FROM A MEETING BETWEEN THE MAYOR, BOROUGH
COUNCIL, BOROUGH CLERK AND STAFF, BOROUGH SOLICITOR AND STAFF AND
BUSINESS ADMINISTRATOR CONCERNING CONTRACT NEGOTIATIONS REGARDING FIRE
SUPPRESSION SERVICES AND AUTHORIZING THE DISCLOSURE OF MINUTES OF SAID
MEETING AS PROVIDED HEREIN**

WHEREAS, N.J.S.A. 10:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting of a public body where the subject matter of that meeting involves contract negotiations regarding fire suppression services; and

WHEREAS, the Borough Council desires to meet with the Mayor, Borough Clerk and staff, Borough Solicitor and staff and Business Administrator, concerning contract negotiations for fire suppression services pursuant to State Statute for the Borough of Buena.

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

1. The public shall be excluded from a meeting of the Council of the Borough of Buena, on September 11, 2023 in the Council Chambers immediately following or during the Regular Session of Borough Council.
2. The general nature of the subject matter of the closed meeting shall pertain to contract negotiations regarding fire suppression services with the Minotola Fire company.
3. Disclosure of the minutes of the closed meeting authorized above between the Borough Council, the Mayor, Borough Clerk and staff, Borough Solicitor and staff and business Administrator shall be made following final negotiations and determination of said matter excepting information which must remain private.
4. It is anticipated that the minutes of the deliberation conducted in closed session may be disclosed to the public within 10 days, however, any personal confidential information may not be released.

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RESOLUTION NO. 138-23

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF CENTRAL AVENUE (CR 627), TO THROUGH TRAFFIC ON SEPTEMBER 17, 2023, FROM 12:00 P.M. TO 1:00 P.M. AND DIRECTING THE BOROUGH OF BUENA RECREATION COMMISSION TO SUBMIT AN APPLICATION TO THE ATLANTIC COUNTY ENGINEER FOR A PERMIT APPROVING SAID TEMPORARY CLOSURE.

WHEREAS, the Borough of Buena Recreation Commission has scheduled a parade and picnic; and

WHEREAS, the Borough of Buena Recreation Commission have requested a portion of Central Avenue be closed during the parade 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, from Dr. J.P. Cleary School located at 1501 S. Central Avenue, to the Buena Borough Municipal Building, 616 Central Avenue, be closed to through traffic during the parade for public safety reasons.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that Central Avenue, from Dr. J.P. Cleary School located at 1501 S. Central Avenue to the Buena Borough Municipal Building, 616 Central Avenue, be temporarily be closed on September 17, 2023, from 12:00 P.M. to 1:00 P.M.

BE IT FURTHER RESOLVED that the temporary closure of the above streets 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.