

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 MINUTES
 JUNE 27, 2022
 PAGE 1

MEETING CALLED TO ORDER: 7:00 P.M.
MEETING ADJOURNED: 8:22 P.M.

ROLL CALL OF ATTENDANCE:

Council Member	Present	Absent
ANDALORO, G	X	
ALVAREZ	X	
D'ALESSANDRO	X	
ANDALORO, P	X	

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 December 6, 2021 as well as having been posted on the municipal bulletin board and website at www.buenaboro.org

MAYOR'S REPORT: FIRST ORDER OF BUSINESS.

RESOLUTION 77-22 A RESOLUTION OF THE BOROUGH OF BUENA ACCEPTING THE RESIGNATION OF MATTHEW WALKER SR FROM THE POSITION OF BOROUGH COUNCIL AND COUNCIL PRESIDENT OF THE BOROUGH OF BUENA

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G		X	X				
D'ALESSANDRO			X				
ALVAREZ			X				
ANDALORO, P	X		X				

WHEREAS, Matthew Walker has served the Borough of Buena for six years as a council member; and

WHEREAS, Matthew has served the Borough of Buena in an exemplary manner; and

WHEREAS, Matthew Walker has decided to resign effective June 21, 2022; and

WHEREAS, the Mayor and Council of the Borough of Buena would like to extend their gratitude to Matthew Walker for his years of service and genuine desire to improve the community of Buena Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the resignation of Matthew Walker. Sr be regretfully accepted effective June 21, 2022

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 2

RESOLUTION 77A-22 A RESOLUTION APPOINTING DOUGLAS ADAMS TO THE POSITION OF COUNCIL PERSON OF BUENA BOROUGH TO FILL THE UNEXPIRED TERM OF MATTHEW WALKER, UNTIL DECEMBER 31, 2022

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G	X		X				
D'ALESSANDRO			X				
ALVAREZ		X	X				
ANDALORO, P			X				

WHEREAS, On June 13, 2022, Councilman Matthew Walker tendered his resignation from the position of Councilman of the Borough of Buena effective June 21, 2022, which term commenced January 1, 2020, and was to expire on December 31, 2022; and

WHEREAS, Councilman Walker’s resignation was received on June 13, 2022; and

WHEREAS, because of the resignation, a vacancy exists on the Borough Council; and

WHEREAS, on June 22, 2022, Borough Council received a list of three names provided by the Buena Republican Club County Committee from which Council shall nominate an individual to fill the unexpired term of Councilman Walker, at which time the seat will be filled until the expiration of the term of the vacancy on December 31, 2022; and

WHEREAS, Borough Council opened the nomination for consideration and having received one nomination, to wit, Douglas Adams and thereafter receiving no further nominations, the nominations were duly closed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that Douglas Adams shall, upon taking the oath of office, immediately fill the vacant seat of Council for the Borough of Buena commencing June 27, 2022, until December 31, 2022, at which time the seat shall be filled by an election in accordance with the laws of the State of New Jersey.

Atlantic County Clerk, Joseph J. Giraldo, administered the Oath of Office to Douglas Adams who took his respective seat on Council.

=====

- Presentation of ACM Municipal JIF with Mr. Miola.
Mike Donato, gave a brief overall as the Borough’s insurance agent,
Paul Miola from the Municipal JIF detailed the 2023 Borough’s renewal with the Joint Insurance fund.
- Lydia Munoz with the Spanish Community Center, detailed the numerous services available for all residents. The location of the Center is 303 Sumner Street and the hours are Monday thru Thursday 8:30-4:30, Fridays 8:30-12:00 p.m., closed for lunch 12:00-1:00 p.m.

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 3

MOTIONED TO OPEN PUBLIC PORTION:

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G		X					
D'ALESSANDRO							
ADAMS							
ALVAREZ	X						
ANDALORO, P							

Bill Coltri, Forest Grove Rd., asked Mayor and Council what the loud explosive sounds were from, that could be heard between the hours of 7 p.m.-9 p.m. Coltri stated the loud sounds were heard coming from random locations and days. Mayor Zappariello replied he had not heard them, however some residents at the meeting explained they had heard them as well and do come at various times and sounded from various locations. Mayor stated it would have to be looked into.

Marina Barsuglia, Landisville asked when the purchased swing set for the park would be installed.

MOTIONED TO CLOSE PUBLIC PORTION:

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G	X		X				
D'ALESSANDRO			X				
ADAMS			X				
ALVAREZ		X	X				
ANDALORO, P			X				

=====

MOTIONED TO OPEN THE PUBLIC HEARING ON:

ORDINANCE NO. 710 AN ORDINANCE AMENDING CHAPTER 181, ARTICLE 3 ABANDONED REAL PROPERTY, REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF ABANDONED REAL PROPERTY WITHIN THE MUNICIPALITY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

Council Member	By	2nd	YES	NO	Abstain	Absent	Recuse
ANDALORO, G			X				
ALVAREZ		X	X				
ADAMS					X		
D'ALESSANDRO			X				
ANDALORO, P	X		X				

WHEREAS, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of property vacancies and abandoned real properties

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 4**

subject to foreclosure; and

WHEREAS, the Borough of Buena (hereinafter referred to as "Municipality or Borough") recognizes an increase in the number of vacancies and abandoned properties located throughout the Municipality; and

WHEREAS, the Borough is challenged to identify and locate responsible parties of foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS, the Borough finds that the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances and lead to a general decrease in neighborhood and community aesthetics; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Municipality by law; and

WHEREAS, pursuant to P.L. 2021, c. 444, the governing body of a municipality is authorized to adopt or amend ordinances creating a property registration program for the purpose of identifying and monitoring properties within the municipality for which a summons and compliant in an action to foreclosure on a mortgage has been filed, regulate the care, maintenance, security and upkeep of such properties, and impose a registration fee on the mortgagee of such properties; and

WHEREAS, the Borough has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Borough desires to amend the Code of the Borough of Buena in order to participate in the County-wide registration program established by the Atlantic County Improvement Authority that will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts and blighting conditions that occur as a result of the foreclosures; and

WHEREAS, the Borough has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to amend registration and certification requirements on foreclosure properties located within the Municipality; and

WHEREAS, upon passage, duly noticed public hearings, as required by law will have been held by the Municipality, at which public hearings all residents and interested persons were given an

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 5

opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA:

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof.

SECTION 2. That the Borough of Buena hereby amends the Borough Code, Chapter 181 Article 3 entitled "Abandoned Real Property," to read as follows:

CHAPTER 181. ARTICLE 3. ABANDONED REAL PROPERTY

SECTION 181-3-A PURPOSE AND INTENT

It is the purpose and intent of the Borough of Buena to establish a process to address the deterioration and blight of Borough neighborhoods caused by an increasing amount of abandoned, foreclosed or distressed real property located within the Borough, and to identify, regulate, limit and reduce the number of foreclosure properties located within the Borough. It is the Borough's further intent to participate in the County-wide registration program established by the Atlantic County Improvement Authority as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of foreclosure properties.

SECTION 181-3-B- DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates different meaning.

Abandoned Real Property - means any real property located in the Municipality, whether vacant or occupied, that has had a lis pendens filed against it by the Lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the Lender, or has been transferred to the Lender under a deed in lieu of foreclosure. The designation of a property as "abandoned" shall remain in place until such time as the property is sold or transferred to a new owner, the foreclosure action has been dismissed, and any default on the mortgage has been cured.

Accessible Property/Structure - means a property that is accessible through a comprised/breached gate, fence, wall, etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

Applicable Codes - means to include, but not be limited to, the Borough's Zoning Code, the Code of the Borough of Buena ("Borough Code"), and the New Jersey Building Code.

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 6

Blighted Property - means:

- a) Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or
- b) Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or
- c) Properties cited for a public nuisance pursuant Municipality Code: or
- d) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the Borough and Zoning Codes.

Enforcement Officer - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Municipality to enforce the applicable code(s).

Foreclosure – means the legal process by which a mortgagee terminates a mortgagor's interest in real property either to obtain legal and equitable title to the real property pledged as security for a debt or to force a sale of said property to satisfy a debt. For purposes of this article, this process begins upon the service of a summons and complaint on the mortgagor or any interested party. For purposes of this article, the process is not concluded until the property is sold to a bona fide purchaser not related to the mortgagee in an arm's-length transaction whether by Sheriff's sale, private sale following a Sheriff's sale, or private sale following the vesting of title in the mortgagee pursuant to a judgment.

Mortgagee - means the creditor, including but not limited to, lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests, or obligations under the mortgage agreement, excluding governmental entities as assignee or owner.

Property Management Company - means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

Vacant - means any building or structure that is not legally occupied.

SECTION 181-3-C- APPLICABILITY

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Municipality above and beyond any other state, county or local provisions for same.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 7**

SECTION 181-3-D- ESTABLISHMENT OF A REGISTRY

The Borough or designee shall participate in the County-wide registration program established by the Atlantic County Improvement Authority which catalogs each Foreclosure Property within the Municipality, containing the information required by this Article.

SECTION 181-3-E- REGISTRATION OF FORECLOSURE REAL PROPERTY

(a) Any mortgagee who holds a mortgage on real property located within the Borough of Buena shall perform an inspection of the property to determine vacancy or occupancy, upon the commencement of foreclosure as evidenced by a foreclosure filing .The mortgagee shall, within ten (10) days of the inspection, register the property with the Code Enforcement Officer, or designee, on forms or website access provided by the Borough, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.

(b) If the property is occupied but remains in foreclosure, it shall be inspected by the mortgagee or his designee monthly and, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Borough.

(c) Registration pursuant to this section shall contain the name of the mortgagee and the server, the direct mailing address of the mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact telephone number of the property management company located in the State of New Jersey responsible for the security and maintenance of the property.

(d) A non-refundable annual registration fee in the amount of \$500.00 per property, shall accompany the registration form or website registration.

(e) If the property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the annual registration fee shall be charged for every thirty-day period (30), or portion thereof, that the property is not registered and shall be due and payable with the registration.

(f) All registration fees must be paid directly from the Mortgagee, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the Borough and/or its authorized designee.

(g) This section shall also apply to properties that have been the subject of a foreclosure

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 8**

sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

(h) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain in foreclosure.

(i) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.

(j) Failure of the Mortgagee to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement.

(k) Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the Borough may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

(l) Registration of foreclosure property does not alleviate the Mortgagee from obtaining all required licenses, permits and inspections required by applicable code or State Statutes.

(m) If the mortgage and/or servicing on a property is sold or transferred, the new Mortgagee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Mortgagee shall register the property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Registrable Property.

(n) If the Mortgagee sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including but not limited to unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous Mortgagee will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Registrable Property.

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 9

SECTION 181-3-F-MAINTENANCE REOUIREMENTS

(a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

(b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

(c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.

(d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.

(e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.

(f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).

(g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable code(s) and issuance of a citation or Notice of Violation in accordance with Chapter 181 of the Borough of Buena Code. Pursuant to a finding and determination by the Borough's Code Enforcement Officer/ Borough Council, or a court of competent jurisdiction, the Borough may take the necessary action to ensure compliance with this section.

(h) In addition to the above, the property is required to be maintained in accordance with the applicable code(s).

SECTION 181-3-G- SECURITY REQUIREMENTS

(a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 10**

allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.

(c) If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this article, and any other applicable laws.

SECTION 181-3-H- PUBLIC NUISANCE.

All abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Borough.

SECTION 181-3-I-PENALTIES; SCHEDULE OF CIVIL PENALTIES.

Any person who shall violate the provisions of this article may be cited and fined as provided in Chapter 181 of the Code of the Borough of Buena and New Jersey Statutes. The following table shows violations of these sections, as may be amended from time to time, which may be enforced pursuant to the provisions of this regulation; and the dollar amount of civil penalty for the violation of these sections as it may be amended. The descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the Borough Code sections, except to the extent that different types of violations of the Code section may carry different civil penalties. For each Code section listed in the schedule of civil penalties, the entirety of the section may be enforced by the mechanism provided in this section, regardless of whether all activities prescribed or required are described in the "Description of Violation" column. To determine whether a particular activity is prescribed or required by this Code, the relevant Municipality Code section(s) shall be examined.

Description of Violation	Civil Penalty
Failure to register abandoned real property on annual basis and/or any violation of the sections stated within.	\$500.00

SECTION 181-3-J-INSPECTIONS FOR VIOLATIONS

Adherence to this article does not relieve any person, legal entity or agent from any other obligations set forth in any applicable code(s), which may apply to the property. Upon sale or transfer of title to

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 11**

the property, the owner shall be responsible for all violations of the applicable code(s) and the owner shall be responsible for meeting with the Borough's Code Enforcement Officer within forty-five (45) days for a final courtesy inspection report.

SECTION 181-3-K-ADDITIONAL AUTHORITY

(a) If the enforcement officer has reason to believe that a property subject to the provisions of this article is posing a serious threat to the public health safety and welfare, the code enforcement officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before the Borough Council or their designee as soon as possible to address the conditions of the property.

(b) The Borough Council shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on- site security guard or other measures as may be reasonably required to help prevent further decline of the property.

(c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the Borough Council or their designee may direct the Department of Public Works or such other outside company to abate the violations and charge the mortgagee with the cost of the abatement.

(d) If the mortgagee does not reimburse the Borough for the cost of temporarily securing the property, or of any abatement directed by the Borough Council or their designee within thirty (30) days of the Borough sending the mortgagee the invoice then the Municipality may lien the property with such cost, along with an administrative fee of \$500.00 to recover the administrative personnel services.

SECTION 181-3-L- OPPOSING, OBSTRUCTING ENFORCEMENT OFFICER; PENALTY.

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

SECTION 181-3-M-IMMUNITY OF ENFORCEMENT OFFICER

Any enforcement officer or any person authorized by the Borough to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this article.

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 12

SECTION 3. AMENDMENTS. Registration and Penalty Fees outlined in this article may be modified by an Ordinance, passed and adopted of the Council of the Borough of Buena.

SECTION 4. SEVERABILITY. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict herewith, are and the same are hereby repealed.

SECTION 6. CODIFICATION. It is the intention of the Council of the Borough of Buena, New Jersey, that the provisions of this Ordinance shall become and be made a part of the Code of the Borough of Buena; and that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon adoption and publication as provided by law.

DISCUSSION: NONE

MOTIONED TO CLOSE THE PUBLIC HEARING:

Council Member	By	2nd	YES	NO	Abstain	Absent	Recuse
ANDALORO, G		X	X				
ALVAREZ			X				
ADAMS			X				
D'ALESSANDRO			X				
ANDALORO, P	X		X				

ORDINANCE 710 ADOPTED:

Council Member	By	2nd	YES	NO	Abstain	Absent	Recuse
ANDALORO, G		X	X				
ALVAREZ			X				
ADAMS					X		
D'ALESSANDRO			X				
ANDALORO, P	X		X				

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 13

**CANCEL TAXES AND ISSUE A REFUND PURSUANT TO THE
APPROVAL OF A TOTAL DISABLED VETERAN**

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G		X	X				
D’ALESSANDRO			X				
ADAMS					X		
ALVAREZ			X				
ANDALORO, P	X		X				

WHEREAS, Block 204 Lot 5, also known as 104 Catherine Avenue, Buena Borough is owned by Mr. William R. Schulgen, a total disabled veteran; and

WHEREAS, the tax assessor has determined that Mr. Schulgen is eligible, and has granted, total disabled status on Block 204, Lot 5 effective March 18, 2022

WHEREAS, Mr. Schulgen is due a refund in the amount of \$1,526.71, for taxes paid.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Tax Collector is hereby authorized to cancel taxes on Block 204, Lot 5 effective March 18, 2022 and issue a refund in the amount of \$1,526.71.

=====

**RESOLUTION 79-22 A RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSES
FOR THE 2022-2023 TERM.**

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G		X	X				
D’ALESSANDRO			X				
ADAMS					X		
ALVAREZ			X				
ANDALORO, P	X		X				

WHEREAS, application for renewal of liquor licenses for the 2022-2023 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 2022-2023 licensing year.

- 0104-33-001-003 Emmanuel and Victor, LLC.
- 0104-33-002-008 Uncle Ricky’s LLC.
- 0104-33-003-001 De Maria Richard A.
- 0104-33-004-011 Jersey Pub 4, Inc
- 0104-44-009-004 SJP Liquors
- 0104-33-010-004 Martin’s Custom Catering
- 0104-33-013-008 Saloon 54, LLC
- 0104-31-015-001 Buena Vista Post 270
- 0104-44-014-012 Pruthvi, LLC

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 14

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

=====

**RESOLUTION 80-22 RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN
APPROVED STATE CONTRACT VENDORS FOR CONTRACTING
UNITS PURSUANT TO N.J.S.A. 40A:11-12A**

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G	X		X				
D'ALESSANDRO			X				
ADAMS					X		
ALVAREZ		X	X				
ANDALORO, P			X				

WHEREAS, the Borough of Buena, County of Atlantic, pursuant to N.J.S.A. 40A11- 12A and N.J.A.C. 5:34.7.29(c), may by Resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Borough of Buena has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Buena intends to enter into contracts with the Referenced State Contract Vendors listed hereto, see **Attachment "A"** through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts; and

NOW, THEREFORE BE IT RESOLVED, which the Borough of Buena authorizes the Purchasing Agent to purchase certain goods and services from those approved New Jersey State Contract Vendors on the list incorporated hereto, pursuant to all conditions of the individual State Contracts.

BE IT RESOLVED, that the Borough of Buena Council pursuant to N.J.A.C. 5:30-5.5 (b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded. No contract amount shall be chargeable or certified until such time as the goods or services are ordered, or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Buena, County of Atlantic and the referenced State contract vendors shall be retroactive from January 1, 2022 to December 31, 2022.

=====

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 MINUTES
 JUNE 27, 2022
 PAGE 15

**RESOLUTION 81-22 RESOLUTION OF SUPPORT FOR SUITABILITY OF A STATE
 LICENSED CANNABIS BUSINESS BY GREEN THUMB GROWING
 COMPANY LLC**

TABLED

WHEREAS, operators of a proposed cannabis business are required by the Cannabis Regulatory Commission to demonstrate local support for the suitability and appropriateness of its business location from a municipality pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:6I-7.2(4); and

WHEREAS, pursuant to the provisions of N.J.S.A. 24:6I-31 and N.J.S.A. 40:48I-1, the Borough of Buena has adopted an Ordinance amending Chapter 202 of the Code of the Borough of Buena to license and tax cannabis businesses; and

WHEREAS, the applicant, (the “License-Applicant”) has sought local support to apply for a state license to operate a licensed cannabis cultivation business at 345 East Weymouth Road, located in the P-I(Pinelands Town Industrial Zone). Permitted uses in this zone include many industrial, manufacturing and fabrication uses as specified in the Code of the Borough of Buena as well as offices, warehousing and laboratory uses. Customary and conventional farm operations and municipal functions conducted in the public interest are also permitted uses; and

WHEREAS, the Borough has reviewed and considered the request of the License-Applicant to conduct the cannabis business at the location described above; and

WHEREAS, the Borough has determined that it supports the type of cannabis cultivation business license being sought by the License-Applicant to operate within its jurisdiction; and

WHEREAS, the Borough has not imposed a limit on the number of licensed cannabis businesses within its jurisdiction; and

WHEREAS the Borough has determined that the proposed location is suitable for the proposed activity related to the operation of the proposed cannabis cultivation business to be conducted by the License-Applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Buena, County of Atlantic, State of New Jersey, that the Mayor and Council hereby support the operation of a state licensed cannabis cultivation facility by Green Thumb Growing Company LLC within the Borough of Buena.

**RESOLUTION NO. 82-22 A RESOLUTION AUTHORIZING THE APPRAISAL OF REAL
 PROPERTY**

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G			X				
D’ALESSANDRO		X	X				
ADAMS			X				
ALVAREZ			X				
ANDALORO, P	X		X				

WHEREAS, the Borough of Buena own a parcel of real property located at 525 S. West Block 145 Lot 8.01; and

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 16

WHEREAS, the Council of the Borough of Buena has determined that the real property is not needed for public use and that it is in the best interests of the citizens of the Borough of Buena that the real property be appraised for potential sale; 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. 525 S. West Boulevard, Block 145 Lot 8.01 be appraised for sale.
2. The appraisal cost shall not exceed \$1000.00

RESOLUTION 83-22 A RESOLUTION APPOINTING PATRICIA ANDALORO TO THE POSITION OF PRESIDENT OF COUNCIL OF BUENA BOROUGH TO FILL THE UNEXPIRED TERM OF MATTHEW WALKER, SR. UNTIL DECEMBER 31, 2022.

Council Member	By	2nd	Yes	No	Abstain	Absent	Recuse
ANDALORO, G		X	X				
D'ALESSANDRO			X				
ADAMS	X		X				
ALVAREZ			X				
ANDALORO, P					X		

WHEREAS, On June 13, 2022, Councilman Matthew Walker Sr. tendered his resignation from the position of Councilman of the Borough of Buena effective June 21, 2022, which term commenced January 1, 2017, and was to expire on December 31, 2022; and

WHEREAS, Councilman Walker's resignation was received on June 13, 2022, and at that time and date the Council of the Borough of Buena accepted the tendered resignation; and

WHEREAS, as a result of the resignation, the position of President of Council was also vacated.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that Patricia Andaloro shall, upon taking the oath of office, immediately fill the vacant seat of Council President for the Borough of Buena commencing June 27, 2022 and expiring December 31, 2022.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 17**

COMMITTEE REPORTS:

ECONOMIC DEVELOPMENT: COUNCILWOMAN GINA ANDALORO, No Report

ROADS/RECYCLING: No Report

RECREATION: Mayor Zappariello reported the success of the June Veterans’ Picnic with 250 Veteran Attendees. There will be a Community Day Event at the Bruno Melini Park on Saturday, July 9th. Next Recreation Meeting will be July 6, 2022.

FINANCE: Councilman Jorge Alvarez reported that the Borough departments have been keeping within their budgets.

PUBLIC SAFETY/STREET LIGHTS: Councilman D’alessandro reported:

1. As of: 06/27/2022 16:24
2. Borough of Buena Cases: 1022

February 28	March 28	May 9	May 23	June 27
104	9	23	23	37

- a. Borough of Buena New Cases Today: 1
 - b. Borough of Buena Deaths: 14
 - c. Atlantic County Cases: 61,521
 - d. Atlantic County Deaths: 977
 - e. New Cases: PCR Test 1,205 Probable Cases 363
 - f. 7 Day Avg New Cases: 2,886 (4,910 5/23)
 - g. NJ Transmission Rate: 0.93
 - h. NJ Cases Total: 2,478,067
 - i. NJ Deaths Total: 34,007
 - j. United States: 87,022,632 (2,964,483 last 28 Days)
 - k. United States Deaths: 1,016,043 (9,212 last 28 days)
 - l. Global Cases: 544,099,243 (15,001,518 last 28 days)
 - m. Global Deaths: 6,329,886 (39,345 last 28 days)
3. NJ total hospitalizations are at 726 (832 5/24) South: 208 (227 5/24)
 4. Ventilators: 30 (38 5/24) South: 7 (5/24 10)
 5. Intensive/Critical Care Beds: 93 (119 5/24) South: 41 (37 5/24)
 6. Long-term Care Facilities Statewide:
 - a. Facilities with Active Outbreaks: 352
 - b. Active Resident Cases: 4,398
 - c. Active Staff Cases: 4,252
 - d. Cumulative Resident Deaths: 8,647
 - e. Cumulative Staff Deaths: 139
 7. Franklin Twp PD – May 2022 Stolen Property: \$1136.00 YTD: \$32,928.00

Arrests	Tickets	MV Stops	DWI	MVC	CDS	DV	GP
21	66	187	0	9	2	3	15

8. Buena EMS
 - a. May 2022 Call for Service: 93
 - b. Location of Calls

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 27, 2022
PAGE 19

NEXT MEETING: JULY 11, 2022

MEETING ADJOURNED: M/ALVAREZ S/ANDALORO,P RCVU

Pamela Johnston

Pamela Johnston
Acting Municipal Clerk