

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING AGENDA  
OCTOBER 15, 2024  
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**MEETING CALLED TO ORDER:** \_\_\_\_\_ **P.M.**  
**MEETING ADJOURNED:** \_\_\_\_\_ **P.M.**

**CALL MEETING TO ORDER: FLAG SALUTE**

**ROLL CALL OF ATTENDANCE:**

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

**SUNSHINE LAW:** This meeting of October 15, 2024 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:** 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.

**PUBLIC PORTION OF THE MEETING:**

**MOTION 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> _____					
<b>SECOND:</b> _____					
<b>RCV</b>					

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

**MOTION 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> _____					
<b>SECOND:</b> _____					
<b>RCV</b>					

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**RESOLUTION NO. 184-24      A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING AN EXTENSION OF THE ISSUANCE OF A CONDITIONAL MUNICIPAL CLASS I ANNUAL CANNABIS CULTIVATION LICENSE TO TIAPLANTA, LLC, NEW JERSEY TO COMPLY WITH THE REQUIREMENTS CONTAINED IN RESOLUTION 132-24**

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

**WHEREAS**, on July 15, 2024, the Council of the Borough of Buena adopted Resolution 132-24 authorizing a conditional Class I Cannabis Cultivation License to Tiaplanta, LLC, New Jersey (Tiaplanta) subject to certain conditions including site plan approval from the Land Use Board, the execution of a Host Community Agreement and the issuance of a Certificate of Occupancy for said facility; and

**WHEREAS**, Tiaplanta was given 180 days to complete all of the requirements as stated in Resolution 132-24 which time expires on October 13, 2024; and

**WHEREAS**, Tiaplanta has taken reasonable steps to comply with the requirements of Resolution 132-24, including site investigation/due diligence required to complete engineering necessary for the submission of a site plan for review by the Land Use Board but require more time for the completion of the same; and

**WHEREAS**, Tiaplanta has requested a 120-day extension of time to comply with the requirements of Resolution 132-24; and

**WHEREAS**, the Code of the Borough of Buena, Section 202-15(C)(4) authorizes Borough Council to extend the time within which an entity having a conditional municipal license to complete all requirements of the conditional license upon the showing of good cause; and

**WHEREAS**, Borough Council finds that Tiaplanta is taking all reasonable steps to comply with Resolution 132-24 but needs an additional period of time for compliance; and

**NOW THEREFORE, BE IT RESOLVED** that the conditional municipal Class II Cannabis Manufacturing License issued in accordance with Resolution 132-24 is hereby extended so as to provide Tiaplanta, LLC, New Jersey with an additional 4 months from the adoption of this Resolution to comply with the requirements of Resolution 132-24.

**RESOLUTION NO. 185-24      A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING AN EXTENSION OF THE ISSUANCE OF A CONDITIONAL MUNICIPAL CLASS II ANNUAL CANNABIS MANUFACTURER LICENSE TO TIAPLANTA, LLC, NEW JERSEY TO COMPLY WITH THE REQUIREMENTS CONTAINED IN RESOLUTION 136-24**

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

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**WHEREAS**, on July 15, 2024, the Council of the Borough of Buena adopted Resolution 136-24 authorizing a conditional Class II Cannabis Manufacturer License to Tiaplanta, LLC, New Jersey (Tiaplanta) subject to certain conditions including site plan approval from the Land Use Board, the execution of a Host Community Agreement and the issuance of a Certificate of Occupancy for said facility; and

**WHEREAS**, Tiaplanta was given 180 days to complete all of the requirements as stated in Resolution 136-24 which time expires on October 13, 2024; and

**WHEREAS**, Tiaplanta has taken reasonable steps to comply with the requirements of Resolution 136-24, including site investigation/due diligence required to complete engineering necessary for the submission of a site plan for review by the Land Use Board but require more time for the completion of the same; and

**WHEREAS**, Tiaplanta has requested a 120-day extension of time to comply with the requirements of Resolution 136-24; and

**WHEREAS**, the Code of the Borough of Buena, Section 202-15(C)(4) authorizes Borough Council to extend the time within which an entity having a conditional municipal license to complete all requirements of the conditional license upon the showing of good cause; and

**WHEREAS**, Borough Council finds that Tiaplanta is taking all reasonable steps to comply with Resolution 136-24 but needs an additional period of time for compliance; and

**NOW THEREFORE, BE IT RESOLVED** that the conditional municipal Class II Cannabis Manufacturing License issued in accordance with Resolution 136-24 is hereby extended so as to provide Tiaplanta, LLC, New Jersey with an additional 4 months from the adoption of this Resolution to comply with the requirements of Resolution 136-24.

**CONSENT AGENDA:**

**Consent Agenda includes items of business which are not controversial and do not require individual discussion. A Motion approving the Consent Agenda is moved, seconded and voted upon as one item by the Borough Council. If any discussion is requested on a Consent Agenda item, it is removed from the Consent Agenda to the Regular Agenda**

- **RESOLUTION 186-24** A RESOLUTION ACCEPTING THE RESIGNATION OF JOSEPH WHEELER EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS
- **RESOLUTION 187-24** A RESOLUTION ACCEPTING THE RESIGNATION OF LARRY LEWIS EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS
- **RESOLUTION 188-24** A RESOLUTION APPOINTING MEMBERS TO THE BUENA BOROUGH FIRE DEPARTMENT
- **RESOLUTION 189-24** A RESOLUTION OF THE BOROUGH OF BUENA PLACING A LIEN ON BLOCK 132, LOT 15, 110 PARK AVE, IN ACCORDANCE WITH ORDINANCE 642
- **RESOLUTION 190-24** A RESOLUTION OF THE BOROUGH OF BUENA PLACING LIENS ON PROPERTIES FOR FAILURE TO MAINTAIN PROPERTY IN ACCORDANCE WITH ORDINANCE 642
- **RESOLUTION 191-24** A RESOLUTION APPOINTING JOHN CILIBERTI TO THE PERMANENT POSITION OF FIRE SUB CODE OFFICIAL FOR THE BOROUGH OF BUENA EFFECTIVE OCTOBER 15, 2024
- **BILLS PAID AS LISTED**
- **CLERK’S REPORT**

**MOTION:** \_\_\_\_\_

**SECOND:** \_\_\_\_\_

**RCV**

<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
GIOVINAZZI					
ALVAREZ					
ADAMS					
BARSUGLIA					
ANDALORO					
DESTEFANO					

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**SOLICITOR'S REPORT:**

RICHARD TONETTA, BOROUGH SOLICITOR

**ENGINEER'S REPORT:**

JOSEPH MOHNACK, BOROUGH ENGINEER

**GRANT APPLICATIONS**

1. FY2024 NJDOT LOCAL TRANSPORTATION PROJECTS FUND (LTPF) GRANT
  - THE GRANT APPLICATION WAS SUBMITTED ON APRIL 24, 2024. THE BOROUGH IS AWAITING GRANT AWARDS.
2. FY2025 NJDOT MUNICIPAL AID PROGRAM GRANT APPLICATION
  - THE APPLICATION WAS SUBMITTED ON JUNE 3, 2024. THE BOROUGH IS AWAITING GRANT AWARDS.

**CAPITAL PROJECTS**

1. CDBG ADA BUILDING IMPROVEMENTS – NEW AUTOMATIC ACCESS SLIDING DOORS
  - . CAPRI CONSTRUCTION HAS ORDERED THE DOORS AND MATERIALS. THE LEAD TIME ON THE DOORS IS 12-14 WEEKS.
2. BRUNO MELINI PARK BATHROOM BUILDING
  - . THE BID OPENING IS SCHEDULED FOR OCTOBER 15, 2024.
3. RESURFACING OF THE TENNIS COURTS
  - . THE PROJECT IS IN THE PRELIMINARY DESIGN PHASE.
4. FY2023 NJDOT LOCAL TRANSPORTATION PROJECTS FUND - RECONSTRUCTION OF PLYMOUTH ST AND FRIENDSHIP RD
  - THE PRECONSTRUCTION MEETING WITH ARAWAK PAVING WAS HELD ON AUGUST 29, 2024.
5. FY2024 NJDOT MUNICIPAL AID - RECONSTRUCTION OF EAST SUMMER ROAD
  - THE ROAD PROJECT IS BEING COMBINED INTO THE USDA RURAL IMPROVEMENT GRANT.

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**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

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**NEXT MEETING:** OCTOBER 28, 2024 6:30 P.M.

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

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**RESOLUTION NO. 186-24**

**A RESOLUTION ACCEPTING THE RESIGNATION OF JOSEPH WHEELER 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 October 1, 2024:

Joseph Wheeler  
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**RESOLUTION NO. 187-24**

**A RESOLUTION ACCEPTING THE RESIGNATION OF LARRY LEWIS 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 October 7, 2024:

Larry Lewis  
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**RESOLUTION NO. 188-24**

**A RESOLUTION APPOINTING MEMBERS TO THE BUENA BOROUGH FIRE DEPARTMENT**

**WHEREAS**, the Council of the Borough of Buena wish to appoint the following volunteer firefighters to the Buena Borough Fire Department; and

**WHEREAS**, Fire Chief Kenneth Barbagli, unconditionally recommends the appointments.

**NOW, THEREFORE, BE IT RESOLVED** that the following individuals are hereby appointed to the Buena Borough Fire Department:

Ethan Jones  
Robert Quay  
Jessica Whitbeck  
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**RESOLUTION NO. 189-24**

**A RESOLUTION OF THE BOROUGH OF BUENA PLACING A LIEN ON BLOCK 132, LOT 15, 110 PARK AVE, 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 110 Park Ave had been abandoned and left in unsafe conditions; 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 110 Park Ave shall have a lien for lot clearance in the amount of \$39,896.85 placed upon it upon passage of this resolution.

**RESOLUTION NO. 190-24**

**A RESOLUTION OF THE BOROUGH OF BUENA PLACING LIENS ON PROPERTIES FOR FAILURE TO MAINTAIN  
PROPERTY IN ACCORDANCE WITH ORDINANCE 642**

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

**WHEREAS**, Buena Borough has identified a property or properties that have not been maintained over a period of time; and

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**WHEREAS**, Buena Borough has noticed property owners of record following all established procedures; and

**WHEREAS**, the property or properties listed have 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 the properties attached to this Resolution shall have a lien for lot clearance, similar to a tax lien, placed upon them upon passage of this resolution.

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**RESOLUTION NO. 191-24**

**A RESOLUTION APPOINTING JOHN CILIBERTI TO THE PERMANENT POSITION OF FIRE SUB CODE OFFICIAL FOR THE BOROUGH OF BUENA EFFECTIVE OCTOBER 15, 2024**

**WHEREAS**, John Ciliberti currently serves as provisional Fire Sub Code Official in the Borough of Buena; and

**WHEREAS**, John Ciliberti is duly qualified and certified by the New Jersey Department of Community Affairs; and

**WHEREAS**, Council has determined to appoint John Ciliberti to the permanent position of Fire Sub Code Official for the Borough of Buena, effective October 15, 2024, at a rate of pay of \$250.00 bi-weekly.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that John Ciliberti is hereby appointed to the position of Fire Sub Code Official for the Borough of Buena.

**BE IT FURTHER RESOLVED** a certified copy of this resolution shall be submitted to the New Jersey Department of Community Affairs.