

**BOROUGH OF BUENA
SPECIAL COUNCIL MEETING
MINUTES
DECEMBER 5, 2024
PAGE 1**

MEETING CALLED TO ORDER: 5:00 P.M.
MEETING ADJOURNED: 5:16 P.M.

CALL MEETING TO ORDER: FLAG SALUTE

ROLL CALL OF ATTENDANCE:

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

ALSO, IN ATTENDANCE: Acting Clerk Johnston, Solicitor Giebner.

SUNSHINE LAW: This meeting of December 5, 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 November 28, 2024, as well as having been posted on the bulletin board at Borough Hall.

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:

NEED MOTION TO OPEN THE PUBLIC PORTION OF THE MEETING:

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

No one spoke.

NEED MOTION TO CLOSE PUBLIC PORTION:

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

**BOROUGH OF BUENA
SPECIAL COUNCIL MEETING
MINUTES
DECEMBER 5, 2024
PAGE 2**

Mayor Baruffi thanked Council President Adams for the extensive work performed in connection with these host agreements.

Councilman Adams gave a brief overview of the resolutions presented this evening.

Kelcey Jackson, Taste of Earth, questioned the difference between the 2% state mandated tax on gross sales and the money charged via the host community agreement and Council President Adams explained the differences.

RESOLUTION NO. 208-24 RESOLUTION AUTHORIZING THE EXECUTION OF A HOST COMMUNITY AGREEMENT FOR THE OPERATION OF A CLASS I CANNABIS CULTIVATION FACILITY BY AND BETWEEN HIGH GRASS FARMS LLC AND THE BOROUGH OF BUENA

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

WHEREAS, the Council of the Borough of Buena has adopted a Resolution granting a Conditional License to operate a Class I Cannabis Cultivation facility to High Grass Farms LLC, to be located at 345 Weymouth Road, Buena Borough (Facility), conditioned upon the execution of a Host Community Agreement in accordance with the Code of the Borough of Buena, Section 202.15 C so as to assure the taxpayers of the Borough are not adversely impacted by the operation of the Facility; and

WHEREAS, as it is anticipated that an increase in police costs, auditing costs, legal costs, inspection costs and code enforcement costs shall occur, the Borough council finds that the costs outlined in the draft Host community Agreement are fair and reasonable considering historical data from surrounding communities with similar facilities; and

WHEREAS, all terms contained in the Host Community Agreement were part of the Request for Proposals submitted to which all applicants responded.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the Mayor and Clerk are hereby authorized to execute a Host Community Agreement in the form and substance as set forth in the document attached hereto subject to non-material modification as authorized by the Borough Solicitor and Buena Borough Cannabis Advisory Committee.

RESOLUTION NO. 209-24 RESOLUTION AUTHORIZING THE EXECUTION OF A HOST COMMUNITY AGREEMENT FOR THE OPERATION OF A CLASS V CANNABIS RETAIL SALES FACILITY BY AND BETWEEN TASTE OF EARTH LLC AND THE BOROUGH OF BUENA

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

WHEREAS, the Council of the Borough of Buena has adopted a Resolution granting a Conditional License to operate a Class V Cannabis Retail Sales facility to Taste of Earth LLC, to be located at 108 Wheat Road, Buena Borough (Facility), conditioned upon the execution of a Host Community Agreement in accordance with the Code of the Borough of Buena, Section 202.15 C so as to assure the taxpayers of the Borough are not adversely impacted by the operation of the Facility; and

**BOROUGH OF BUENA
SPECIAL COUNCIL MEETING
MINUTES
DECEMBER 5, 2024
PAGE 3**

WHEREAS, as it is anticipated that an increase in police costs, auditing costs, legal costs, inspection costs and code enforcement costs shall occur, the Borough council finds that the costs outlined in the draft Host Community Agreement are fair and reasonable considering historical data from surrounding communities with similar facilities; and

WHEREAS, all terms contained in the Host Community Agreement were part of the Request for Proposals submitted to which all applicants responded.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the Mayor and Clerk are hereby authorized to execute a Host Community Agreement with Taste of Earth LLC in the form and substance as set forth in the document attached hereto subject to non-material modification as authorized by the Borough Solicitor and Buena Borough Cannabis Advisory Committee.

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Mayor Baruffi congratulated both parties and stated the Borough is looking forward to having a great working relationship going forward.

MEETING ADJOURNED: M/ BARSUGLIA S/ ANDALORO RCVU

Pamela Johnston

Pamela Johnston
Acting Borough Clerk