



**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
SEPTEMBER 26, 2022  
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**NEED MOTION TO OPEN THE PUBLIC HEARING ON:**

ORDINANCE NO. 712     AN ORDINANCE OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AUTHORIZING THE LEASE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES, COMMONLY KNOWN AS 201 KENNEDY DRIVE LANDISVILLE, NJ 08326, BLOCK 116 LOT 5.

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
ALVAREZ							
ANDALORO, P							
D'ALESSANDRO							
ADAMS							

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A: 12-14 authorizes the lease by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use to an association for a public purpose; and

**WHEREAS**, the Borough of Buena is the owner of certain real property located 201 Kennedy Drive Landisville, NJ 08326; and.

**WHEREAS**, the building located at 201 Kennedy Drive Landisville, NJ 08326 is not needed for public use; and

**WHEREAS**, the Council has determined that it is in the best interest of the Borough to lease the property to the Buena Historical Society as such use will provide historic information of the Borough and its residents for the benefit of all.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Borough of Buena, County of Atlantic and State of New Jersey, that:

**SECTION 1.**

1. The said property shall be leased to the Buena Historical Society subject to the following terms and conditions:
  - (a) The said property shall be leased for an annual rent of \$ 1.00 per year for 10 years.
  - (b) The lease may be extended and/or terminated as provided for in the written Lease Agreement.
  - (c) The Lease Agreement shall be on file with the Borough Clerk.
  - (d) The Buena Historical Society shall annually submit a report to the Clerk setting forth the use to which the leasehold was put during each year, the activities being undertaken in furtherance of the public purpose for which the leasehold was granted and an affirmation that the Historical Society continues its tax-exempt status pursuant to both State and Federal laws.

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**SECTION 2. Repealer**

Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3. Severability**

In the event that any section, paragraph, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

**SECTION 4. Effective Date**

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

**DISCUSSION:**

**PUBLIC HEARING CLOSED:**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
D'ALESSANDRO							
ADAMS							
ALVAREZ							
ANDALORO, P							

**ORDINANCE NO. 712 ADOPTED:**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
D'ALESSANDRO							
ADAMS							
ALVAREZ							
ANDALORO, P							

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**NEED MOTION TO OPEN THE PUBLIC HEARING ON:**

**ORDINANCE NO. 713     AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PORTION OF LOT 1, BLOCK 145 TO THE AMERICAN LEGION POST 270 IN ACCORDANCE WITH N.J.S.A. 40A:12-21**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
D'ALESSANDRO							
ADAMS							
ALVAREZ							
ANDALORO, P							

**WHEREAS**, the Borough of Buena owns certain property known as Block 145, Lot 1 on the Tax Map of the Borough of Buena which is adjacent to certain property owned by the American Legion Post 270 (American Legion), an Internal Revenue Code 501(c)(3) organization; and

**WHEREAS**, the American Legion is a nationally chartered organization of American Veterans and provides charitable and civic services to the residents of the Borough including youth sports, scholarships and troop and family support; and

**WHEREAS**, the American Legion has requested the Borough consider conveying a portion of Block 145, Lot 1 to the organization to provide more area to further its mission; and

**WHEREAS**, the portion of Lot 1 that is being considered, as depicted in the subdivision map attached hereto and made a part hereof has no present municipal use; and

**WHEREAS**, the Borough Council adopted Resolution authorizing the American Legion to apply for a subdivision before the Buena Borough Land Use board and the application was approved and the Land Use Board adopted Resolution approving the subdivision, which Resolution is incorporated herein as if set forth at length; and

**WHEREAS**, Borough Council finds it to be in the best interest of the Borough, its residents and the American Veterans to assist the American Legion in its mission

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

1. That portion of Block 145 Lot 1 containing 22,898 sq. ft. of land as described in the legal description and subdivision map attached hereto and made a part hereof shall be conveyed to the American Legion Post 270.
2. The consideration for such conveyance shall be \$1.00 and other valuable consideration including the continued provision of civic services for the residents and American Veterans.
3. The Deed of Conveyance shall contain a restriction therein that the use of the



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**ORDINANCE NO. 713 ADOPTED:**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
D’ALESSANDRO							
ADAMS							
ALVAREZ							
ANDALORO, P							

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**RESOLUTION 109-22     A RESOLUTION AUTHORIZING THE DISMISSAL OF LITIGATION BY THE BOROUGH AGAINST THE LANDISVILLE FIRE AND RESCUE DEPARTMENT; KENNETH BARBAGLI; LORETTA GAZZARA; CHARLES GAZZARA; RICHARD DEMARCO; JOSEPH SANTAGATA; PATRICIA ANDALORO; DAVID ROMEO; ENRICO CORALUZZO, SR.; BOARD OF COMMISSIONERS OF FIRE DISTRICT #2; LEONARD SMITH AND FIRE DISTRICT #1**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
D’ALESSANDRO							
ADAMS							
ALVAREZ							
ANDALORO, P							

**WHEREAS** on November 30, 2021, the Borough filed a Verified Complaint against the Landisville Fire and Rescue Department and various individuals and entities associated with same, in the Superior Court of New Jersey, Atlantic County, under docket number ATL-C-69-21; and

**WHEREAS**, in consultation with the special legal counsel representing the Borough in the aforesaid litigation, the Borough concludes that the objectives of the litigation have been obtained; and

**WHEREAS**, the Borough desires to voluntarily dismiss all claims it asserts in the litigation.

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

1. The Borough shall dismiss the claims it asserts in the litigation under docket number ATL-C-69-21.
2. The Solicitor of the Borough of Buena, and/or his assigns, are hereby authorized and directed to take all appropriate actions necessary to dismiss the litigation,

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including but not limited to the preparation and execution of legal documents and pleadings necessary to effectuate the dismissal of the litigation.

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**RESOLUTION 110-22     A RESOLUTION AUTHORIZING 2022 ELECTRONIC TAX SALE**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
D’ALESSANDRO							
ADAMS							
ALVAREZ							
ANDALORO, P							

**WHEREAS**, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

**WHEREAS**, the Director of the Division of Local Government Services has approved RealAuction.com to conduct electronic tax sales, and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

**WHEREAS**, the Borough of Buena wishes to participate in an electronic tax sale for prior year 2021 delinquencies.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Buena, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution is forwarded to the Borough of Buena Tax Collector and the Chief Financial Officer by the Acting Clerk.

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RESOLUTION NO. 111-22      BOROUGH OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, AUTHORIZING THE ASSESSMENT OF A \$25.00 FEE PER TAX SALE NOTICE FOR THE CREATION, PRINTING, AND MAILING OF SAID NOTICE.

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
D’ALESSANDRO							
ADAMS							
ALVAREZ							
ANDALORO, P							

**WHEREAS**, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

**WHEREAS**, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

**WHEREAS**, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

**WHEREAS**, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of Buena wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

**BE IT RESOLVED** by the Council of the Borough of Buena that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2022 electronic tax sale.

**COMMITTEE REPORTS:**

*ECONOMIC DEVELOPMENT*.....CHAIRWOMAN, GINA ANDALORO  
DOUGAS ADAMS, JORGE ALVAREZ

*ROADS/RECYCLING*.....CHAIRMAN, DOUGLAS ADAMS,  
JORGE ALVAREZ, GINA ADALORO

*RECREATION* .....CHAIRMAN, DAVID ZAPPARIELLO,  
JOSEPH D’ALESSANDRO, PATRICIA ANDALORO

*FINANCE*.....CHAIRMAN, JORGE ALVAREZ,  
JOSEPH D’ALESSANDRO, PATRICIA ANDALORO,

*PUBLIC SAFETY/ STREET LIGHTS*.....CHAIRMAN, JOSEPH D’ALESSANDRO  
GINA ANDALORO, DOUGLAS ADAMS,

*BLDGS/GROUNDS/IMPROVEMENTS*.....CHAIRWOMAN PATRICIA ANDALORO,  
DOUGLAS ADAMS, JOSEPH D’ALESSANDRO



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**MINUTES OF THE REGULAR MEETING OF SEPTEMBER 12, 2022. IF NO CORRECTIONS OR ADDITIONS, ENTERTAIN A MOTION TO APPROVE:**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
ALVAREZ							
ANDALORO, P							
D'ALESSANDRO							
ADAMS							

**CORRESPONDENCE:**

Our Lady of the Blessed Sacrament request for Raffle and Bingo Licenses.

**NEED MOTION TO FILE CORRESPONDENCE:**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
ALVAREZ							
WALKER							
D'ALESSANDRO							
ANDALORO, P							

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**BILLS PAID AS LISTED:**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
ANDALORO, G							
ALVAREZ							
ANDALORO, P							
D'ALESSANDRO							
ADAMS							

**NEXT MEETING:** OCTOBER 11, 2022

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