

MEETING CALLED TO ORDER: 5:04 P.M.

MEETING ADJOURNED: 6:02 P.M.

The workshop meeting of Mayor and Council of the Borough of Buena was held Monday, May 7, 2018 commencing at 5:00 p.m. at the Borough Hall with Mayor Zappariello presiding. Mayor Zappariello led the flag salute and announced that this meeting was 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, the Daily Journal and the Atlantic County Record on May 4, 2018, as well as having been posted on the bulletin board at Borough Hall.

PRESENT: Councilpersons Walker, Baker, Mancuso, Alvarez and McAvaddy, Mayor Zappariello, Richard Tonetta, Solicitor, and Jill McCrea, Administrator

ROLL CALL OF ATTENDANCE:

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				X
WALKER	X			
BAKER	X			
MANCUSO	X			
ALVAREZ	X			
MCAVADDY	X			

MAYOR'S REPORT:

Mayor Zappariello briefly explained Resolution 55-2018 before turning to Solicitor Rick Tonetta for a more detailed history. Mr. Tonetta explained the current standards set by the New Jersey Council on Affordable Housing, adding he the Borough had already completed two (2) rounds of compliance. The Fair Share Housing Center, on behalf of COAH, filed a suit to require the Borough to meet the 1999 to 2025 obligations. In order to avoid trial, Mr. Tonetta explained he had met with representatives from the Fair Share Housing Center. The meetings had been productive, with agreement to reduce Buena's obligation from 114 to 18 units.

The Borough must have set aside inclusionary zones with a 15% set aside for low and moderate-income housing. Need 30 acers with potential for sewer and water service. Approvals would also be predicated on approvals from DEP for increase in water capacity and Pinelands approval. Settlement would also allow for deed restrictions and rehabilitation of current residential units.

Mr. Tonetta added that the law is very unpopular, but most towns have settled to avoid risk if higher obligations and builder remedy lawsuits.

Public Portion - Tom Graham 556 Forest Grove Road, Bill Coltri 532 Forest Grove Road, Brian Fatcher 102 Kimberly Lane, Carl Hanson 111 Kimberly Lane and Dave Giraffo 564 Forest Grove Road all expressed their displeasure and opposition.

RESOLUTION 55-18 A RESOLUTION APPROVING A SETTLEMENT AGREEMENT BY AND BETWEEN THE BOROUGH OF BUENA AND FAIR SHARE HOUSING CENTER IN THE MATTER OF THE APPLICATION OF THE BOROUGH OF BUENA, DOCKET NO. CPM-L-310-15
m/Baker s/Walker

WHEREAS, on July 14, 2015, the Borough of Buena filed a complaint in the Superior Court of New Jersey, Atlantic County seeking a declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq.; and

WHEREAS, the Fair Share Housing Center (FSHC) was designated by the Supreme Court of New Jersey as an interested party and has been negotiating with the Borough regarding the filed litigation; and

WHEREAS, the parties have reached a resolution regarding the obligations of the Borough under the Mount Laurel Doctrine and Fair Housing Act of 1985 to address the Prior Round and Third Round obligations for present and prospective needs, inclusive of the Gap Period Present Need, which is a measure of households formed from 1999-2015, so as to avoid protracted and costly litigation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the proposed settlement agreement is approved in form and substance substantially similar to the terms contained in the proposal from FSHC dated May 7, 2018 attached hereto and made a part hereof, subject to and conditioned upon final approval by the Superior Court of New Jersey Atlantic County following a fairness hearing as required by Morris Cty. Fair Hous. Council v. Boonton Twp., 197 N.J.Super 359, 367-69

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				X
WALKER	X			
BAKER	X			
MANCUSO	X			
ALVAREZ	X			
MCAVADDY		X		

MEETING ADJOURNED: m/Baker s/Walker

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				X
WALKER	X			
BAKER	X			
MANCUSO	X			
ALVAREZ	X			
MCAVADDY	X			

**JILL MCCREA
ADMINISTRATOR**