

BOROUGH OF BUENA COUNCIL  
REGULAR MEETING AGENDA  
MONDAY, MAY 12, 2025 6:30 p.m.  
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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 May 12, 2025 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 9, 2024 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.

**RESOLUTION NO. 94-25** A RESOLUTION APPOINTING KEN BARBAGLI TO THE POSITION OF BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY MEMBER TO FILL THE UNEXPIRED TERM OF JEFFREY JOHNSTON

MOTION:

SECOND:

RCV

Council Member	Aye	Nay	Abstain	Absent	Recuse
GIOVINAZZI					
ALVAREZ					
ADAMS					
BARSUGLIA					
ANDALORO					
DESTEFANO					

WHEREAS, there presently exists a vacancy in the position of Buena Borough Municipal Utilities Authority Member.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that Ken Barbagli is hereby appointed to the position of Borough of Buena Municipal Utilities Member, to fill the unexpired term of Jeffrey Johnston (February 2, 2021–February 1, 2026).

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**RESOLUTION NO. 95-25** A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING A PRELIMINARY INVESTIGATION TO BE MADE BY THE LAND USE BOARD TO DETERMINE WHETHER THE AREA CONSISTING OF BLOCK 120, LOT 5, 300 SUMMER ROAD, IS IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, ET SEQ.

MOTION:

SECOND:

RCV

Council Member	Aye	Nay	Abstain	Absent	Recuse
GIOVINAZZI					
ALVAREZ					
ADAMS					
BARSUGLIA					
ANDALORO					
DESTEFANO					

WHEREAS, Block 120, Lot 5, 300 Summer Road has been used as a landfill, not presently capped, and has been under review by the Director of Public Works in light of its present condition which may be considered an area in need of redevelopment pursuant to the local Redevelopment & Housing Law, N.J.S.A. 40A:12A-1, et seq; and

WHEREAS, the area may benefit from the Local Redevelopment and Housing Law should it meet the criteria and be determined to be an area in need of redevelopment; and

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**WHEREAS**, pursuant to N.J.S.A. 40A:12A-4, Borough Council may cause a preliminary investigation to be made to determine if the area is in need of redevelopment; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, should Borough Council adopt the Resolution, the Buena Borough Land Use Board shall be entrusted with undertaking a public hearing process to hear testimony of individuals to determine if the area is in need of redevelopment, make a report to Borough Council for their approval or disapproval or modification; and

**WHEREAS**, Borough Council finds it in the best interest of the Borough to instruct the Land Use Board to conduct a hearing and investigate whether the area or any part thereof constitutes a Redevelopment Area as defined in N.J.S.A. 40A:12A-5 and 6 with the Borough Council having the full authority to use all those powers provided by the Legislature for use in a redevelopment area referred to as a Non-Condernnation Redevelopment Area and thereafter provide its findings and reports and recommendation to Council.

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

- 1. The Land Use Board of the Borough of Buena shall and the same is hereby authorized and directed to conduct hearings and investigations as required to determine whether the area designated as Block 120, Lot 5, 300 Summer Road, constitutes a redevelopment area as defined by N.J.S.A. 12A-1, et seq. Said hearings shall be held in accordance with N.J.S.A. 40A:12A-6 as a Non-Condernnation Redevelopment Area.
- 2. Upon completion of such hearings and investigations, the Land Use Board shall make recommendations and report to the Borough Council for approval, disapproval or modification regarding the area being considered for redevelopment and whether the area or any portion thereof constitutes a redevelopment area as defined in N.J.S.A. 12A-1, et seq.

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**RESOLUTION NO. 96-25                    A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING A PRELIMINARY INVESTIGATION TO BE MADE BY THE LAND USE BOARD TO DETERMINE WHETHER THE AREA CONSISTING OF BLOCK 133, LOT 5, 502 NORTHWEST BOULEVARD, IS IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, ET SEQ.**

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

**WHEREAS**, Block 133, Lot 5, 502 NorthWest Boulevard is a contaminated parcel of land and has been determined to be a Brownsfield Property as defined in N.J.S.A. 58:10B-23.d, and has been under review by the Director of Public Works in light of its present condition which may be considered an area in need of redevelopment pursuant to the local Redevelopment & Housing Law, N.J.S.A. 40A:12A-1, et seq; and

**WHEREAS**, the area may benefit from the Local Redevelopment and Housing Law should it meet the criteria and be determined to be an area in need of redevelopment; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-4, Borough Council may cause a preliminary investigation to be made to determine if the area is in need of redevelopment; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, should Borough Council adopt the Resolution, the Buena Borough Land Use Board shall be entrusted with undertaking a public hearing process to hear testimony of individuals to determine if the area is in need of redevelopment, make a report to Borough Council for their approval or disapproval or modification; and

**WHEREAS**, Borough Council finds it in the best interest of the Borough to instruct the Land Use Board to conduct a hearing and investigate whether the area or any part thereof constitutes a Redevelopment Area as defined in N.J.S.A. 40A:12A-5 and 6 with the Borough Council having the full authority to use all those powers provided by the Legislature for use in a redevelopment area referred to as a Non-Condernnation Redevelopment Area and thereafter provide its findings and reports and recommendation to Council.

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

- 1. The Land Use Board of the Borough of Buena shall and the same is hereby authorized and directed to conduct hearings and investigations as required to determine whether the area designated as Block 133, Lot 5, 502 NorthWest Boulevard, constitutes a redevelopment area as defined by N.J.S.A. 12A-1, et seq. Said hearings shall be held in accordance with N.J.S.A. 40A:12A-6 as a Non-Condernnation Redevelopment Area.
- 2. Upon completion of such hearings and investigations, the Land Use Board shall make recommendations and report to the Borough Council for approval, disapproval or modification regarding the area being considered for redevelopment and whether the area or any portion thereof constitutes a redevelopment area as defined in N.J.S.A. 12A-1, et seq.

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

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

**MOTION TO CLOSE PUBLIC PORTION:**

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

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

**ORDINANCE NO. 769                      AN ORDINANCE AMENDING ARTICLE I GENERAL PROVISIONS CHAPTER 150-  
LAND USE, ARTICLE I APPLICATION FEES AND REQUIRED ESCROW DEPOSITS  
OF THE CODE OF THE BOROUGH OF BUENA**

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

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DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING:

		Council Member	Aye	Nay	Abstain	Absent	Recuse
		GIOVINAZZI					
MOTION:		ALVAREZ					
		ADAMS					
SECOND:		BARSUGLIA					
		ANDALORO					
	RCV	DESTEFANO					

NEED MOTION TO ADOPT ORDINANCE NO. 769:

		Council Member	Aye	Nay	Abstain	Absent	Recuse
		GIOVINAZZI					
MOTION:		ALVAREZ					
		ADAMS					
SECOND:		BARSUGLIA					
		ANDALORO					
	RCV	DESTEFANO					

BE IT ORDAINED by the Council of the Borough of Buena that Chapter 150 of the municipal Code entitled “Land Use” shall be amended as follows:

**SECTION 1:** §150-7. Application Fees of the Borough of Buena Municipal Code shall be amended as follows:

	Fees shall be as follows:	Fee
A.	Redivision (not creating a new lot):	\$300.
H.	Major site plan, preliminary.	
	Proposed Development Area (square feet)	Fee
	5,000 to 25,000	\$2,000
	25,000 to 50,000	\$2,400
	50,000 to 100,000	\$3,000
	100,000 to 250,000	\$4,000
	250,000 to 500,000	\$6,000
	500,000	\$8,000
I.	Major site plan, final.	
	Proposed Development Area (square feet)	Fee
	5,000 to 25,000	\$800
	25,000 to 50,000	\$1,000
	50,000 to 100,000	\$1,600
	100,000 to 250,000	\$2,000
	250,000 to 500,000	\$3,000
	500,000	\$4,000
K.	Conditional use:	\$300.
M.	Extension of granted variance:	\$200.
N.	Special meetings requested by and/or charged to applicant, Land Use Board:	\$1,500.
P.	Preparation of transcripts:	\$4 per page.

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|----|---|----------|
| Q. | Certificates of approval:                   | \$6.     |
| R. | Housing fee<br>(single-family development): | \$1,000. |

**SECTION 2:** §150-8.1 Required Escrow Deposits of the Borough of Buena Municipal Code shall be amended as follows:

Fees shall be as follows:

## Development Application- Required Escrow Fee

(1) Minor subdivision	\$1,800
(2) Major subdivision, preliminary approval	
Up to 30 lots (including any reserved parcel)	\$5,000 plus \$250 per lot
In excess of 30 lots (including any reserved parcel)	\$10,000 plus \$250 per lot

#### (4) Site plan review

(a) Minor site plan	\$1,800
[1] Development plan on a vacant tract of land which proposes construction of 1,000 square feet of floor area or less; or has provision for 10 parking spaces or fewer	\$2,400
[3] Accessory building located within a designated flood zone	\$600

(b) Site plan, preliminary approval

[1] Commercial or industrial site plan	
1,001 to 5,000 square feet of floor area	\$5,000 escrow deposit
5,001 to 10,000 square feet of floor area	\$6,000 escrow deposit
10,001 to 50,000 square feet of floor area	\$8,000 escrow deposit
50,001 to 100,000 square feet of floor area	\$10,000 escrow deposit
Over 100,000 square feet of floor area	\$13,000 escrow deposit

## Development Application Required Escrow

[2] Residential multifamily housing site plan	
3 to 5 dwelling units	\$3,000 escrow deposit
6 to 15 dwelling units	\$5,000 escrow deposit
16 or more dwelling units	\$7,000 escrow deposit

[3] Building alteration, new construction

For the first 1,000 square feet of additional gross floor area	\$1,000, plus \$500 for each additional 1,000 square feet of floor area up to 3,000 square feet
3,001 to 5,000 square feet of additional gross floor area	\$5,000
5,001 to 10,000 square feet of additional gross floor area	\$6,000
10,001 to 50,000 square feet of additional gross floor area	\$8,000
50,001 to 100,000 square feet of additional gross floor area	\$10,000
Over 100,000 square feet of additional gross floor area	\$13,000

[4] Change of use to a new permitted use

(c) Major plan, final approval	
[1] Commercial or industrial site plan	
1,001 to 5,000 square feet of floor area	\$5,000 escrow deposit
5,001 to 10,000 square feet of floor area	\$6,000 escrow deposit
10,001 to 50,000 square feet of floor area	\$8,000 escrow deposit
50,001 to 100,000 square feet of floor area	\$10,000 escrow deposit
Over 100,000 square feet of floor area	\$13,000 escrow deposit

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[2] Residential multifamily housing site plan 3 to 5 dwelling units	\$3,000 escrow deposit
Development Application- Required Escrow	
6 to 15 dwelling units	\$5,000 escrow deposit
16 or more dwelling units	\$7,000 escrow deposit
[3] Building alteration, new construction	
For the first 1,000 square feet of additional gross floor area	\$1,000 plus \$500 for each additional 1,000 square feet of floor area up to 3,000 square feet
3,001 to 5,000 square feet of additional gross floor area	\$5,000
5,001 to 10,000 square feet of additional gross floor area	\$6,000
10,001 to 50,000 square feet of additional gross floor area	\$8,000
50,001 to 100,000 square feet of additional gross floor area	\$10,000
Over 100,000 square feet of additional gross floor area	\$13,000
[4] Change of use to a new permitted use	
	\$1,500

**SECTION 3:** Except as expressly amended by this ordinance, all other provisions of Ordinance No. 457 of the Borough of Buena, Minotola, New Jersey, shall remain in full force and effect.

**SECTION 4:**  
All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION 5:**  
If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION 6:**  
This ordinance shall take effect immediately upon final publication as provided by law.

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RESOLUTION NO. 100-25

A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AMENDING RESOLUTION 38-25 TO CORRECT AN ERROR SO AS TO PROVIDE FOR AN EXTENSION OF TIME TO TIAPLANTA, LLC, NEW JERSEY TO FOR THE CONDITIONAL MUNICIPAL CLASS I CULTIVATION LICENSE FOR 120 DAYS COMMENCING FEBRUARY 12, 2025 IN ADDITION TO THE EXTENSION FOR THE CLASS II MANUFACTURER LICENSE PROVIDED THEREIN

		Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION:		GIOVINAZZI					
		ALVAREZ					
SECOND:		ADAMS					
		BARSUGLIA					
RCV		ANDALORO					
		DESTEFANO					

**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) and Resolution 132-24 authorizing a conditional Class I Cannabis Cultivation License to 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 Resolutions 132-24 and 136-24 which time expired on October 13, 2024; and

**WHEREAS**, Tiaplanta had taken reasonable steps to comply with the requirements of Resolutions 132-24 and 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 had requested an extension of time to comply with the requirements of Resolutions 132-24 and 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 found that Tiaplanta has taken all reasonable steps to comply with Resolutions 132-24 and 136-24 but needed an additional period of time for compliance and adopted Resolutions 184-24 and 185-24 extending the time for compliance for 4 additional months which period ended February 2025; and

**WHEREAS**, after submitting further information evidencing reasonable steps to comply with the time allotted to obtain a municipal license and upon request of Tiaplanta, Council adopted Resolution 38-25 again extending the period for compliance for an additional 4 months, which Resolution erroneously only granted the 4-month extension for the Class II Conditional Municipal License when the request was for both Class I and Class II conditional licenses.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that Resolution 38-25 be amended to provide for an extension of time to comply with the requirements of Resolution 132-24 and the Code of the Borough of Buena for a period of 120 days commencing February 10 2025 for the conditional municipal Class I Cannabis Cultivation License issued in accordance with Resolution 132-24.

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**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 97-25** A RESOLUTION ACCEPTING A CHANGE ORDER TO AMEND A CONTRACT WITH CAPRI CONSTRUCTION COMPANY, INC. FOR ATLANTIC COUNTY IMPROVEMENT AUTHORITY DEVELOPMENT BLOCK GRANT (CDBG) FOR ADA ACCESSIBILITY IMPROVEMENTS TO VARIOUS MUNICIPAL BUILDINGS
- **RESOLUTION 98-25** A RESOLUTION AUTHORIZING THE CFO TO REFUND A CONSTRUCTION PERMIT OVERPAYMENT IN THE AMOUNT OF \$40.00 TO ROYALTY PROPERTY HOLDINGS LLC
  
- **BILLS PAID AS LISTED**
  
- **CLERK’S REPORT**  
MINUTES OF THE MEETING OF APRIL 28, 2025

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

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**SOLICITOR’S REPORT:**

Richard Tonetta, Borough Solicitor

**ENGINEER’S REPORT:**

Joseph Mohnack, Borough Engineer

**Grant Applications**

1. FY2025 NJDOT Local Transportation Projects Fund & FY2026 Municipal Aid Program
  - Our firm will be applying for these grants which are due July 1<sup>st</sup>.

**Capital Projects**

1. Resurfacing of the Tennis/Pickleball Courts
  - . Landberg Construction will begin construction this month.
2. FY2023 NJDOT Local Transportation Projects Fund - Reconstruction of Plymouth St and Friendship Rd
  - Working towards project closeout.
3. NJDCA FY2023/FY2025 Local Recreation Improvement Grant: Restroom Building at Bruno Melini Park
  - . The project will be re-advertised for bid.
4. FY2025 NJ Water Bank Sanitary Sewer Improvements
  - . Awaiting Authorization to advertise from NJDEP.

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**UNFINISHED BUSINESS:**

**NEW BUSINESS:**



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<b>RESOLUTION NO. 99-25</b>	<b>A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE EXCLUSION OF THE PUBLIC FROM A MEETING BETWEEN THE BOROUGH COUNCIL, BOROUGH ADMINISTRATOR/CLERK AND STAFF, BOROUGH SOLICITOR AND STAFF CONCERNING CONTRACT NEGOTIATIONS INVOLVING THE MINOTOLA UNITED METHODIST CHURCH AND AUTHORIZING THE DISCLOSURE OF MINUTES OF SAID MEETING AS PROVIDED HEREIN</b>
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<b>MOTION:</b> _____		<b>Council Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
		GIOVINAZZI					
		ALVAREZ					
<b>SECOND:</b> _____		ADAMS					
		BARSUGLIA					
		ANDALORO					
<b>RCV</b>		DESTEFANO					

**WHEREAS**, N.J.S.A. 10:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting of a public body where the subject matter of that meeting involves contract negotiations; and

**WHEREAS**, the Borough Council desires to meet with the Borough Administrator/Clerk and staff, Borough Solicitor and staff, concerning contract negotiations.

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

- 1. The public shall be excluded from a meeting of the Council of the Borough of Buena on May 12, 2025 in the Council Chambers during a recess of the special meeting of Borough Council.
- 2. The general nature of the subject matter of the closed meeting shall pertain to contract negotiations as set forth herein above.
- 3. Disclosure of the minutes of the closed meeting authorized above between the Borough Council, the Mayor, Borough Administrator and staff, Borough Solicitor and staff, shall be made following final negotiations and determination of said matter excepting information which must remain private.
- 4. It is anticipated that the minutes of the deliberation conducted in closed session may be disclosed to the public within 120 days, however, any personal confidential information may not be released.

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**NEXT MEETING:** REGULAR MEETING **TUESDAY**, MAY 27, 2025 6:30 P.M.

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

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**RESOLUTION NO. 97-25**

**A RESOLUTION ACCEPTING A CHANGE ORDER TO AMEND A CONTRACT WITH CAPRI CONSTRUCTION COMPANY, INC. FOR ATLANTIC COUNTY IMPROVEMENT AUTHORITY DEVELOPMENT BLOCK GRANT (CDBG) FOR ADA ACCESSIBILITY IMPROVEMENTS TO VARIOUS MUNICIPAL BUILDINGS**

**WHEREAS**, in accordance with the project, ADA Accessibility Improvements to Various Municipal Buildings, DeBlasio & Associates prepared a change order recommending a decrease in the contract price by \$1,761.15 allowance for as-built quantity adjustments as stated on the Change Order attached hereto, and made part of, this Resolution.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Buena that the change order submitted by DeBlasio & Associates providing for a decrease in the contract amount by \$1,761.15 is hereby accepted and approved by the Council of the Borough of Buena, as an amendment to said contract.

**BE IT FURTHER RESOLVED** that Joseph Baruffi, Mayor of the Borough of Buena, is authorized to execute the change order.

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**RESOLUTION NO. 98-25**

**A RESOLUTION AUTHORIZING THE CFO TO REFUND A CONSTRUCTION PERMIT OVERPAYMENT IN THE AMOUNT OF \$40.00 TO ROYALTY PROPERTY HOLDINGS LLC.**

**WHEREAS**, Royal Property Holdings, LLC remitted monies for a Construction permit into the Construction Account in the amount of \$192.00 to the Borough of Buena Construction office. The cost of the permit was \$152.00 causing an overpayment of \$40.00.

**NOW, THEREFORE, BE IT RESOLVED** by Mayor and Council of Buena Borough that the Chief Financial Officer is hereby authorized to refund the amount of \$40.00 from the Construction Account.