

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
OCTOBER 22, 2018**

PAGE 1

**MEETING CALLED TO ORDER: 6:35 P.M.
MEETING ADJOURNED: 7:00 P.M.**

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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

SUNSHINE LAW: The regular meeting of Mayor and Council of the Borough of Buena was held Monday, October 22, 2018 commencing at 6:30 p.m. at the Borough Hall with Council President Baker presiding. The Council President 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 November 16, 2017, as well as having been posted on the bulletin board at Borough Hall.

MAYOR'S REPORT: First order of business.

PUBLIC PORTION OF THE MEETING:

Amada Perry 206-208 S. Willow Street extended her thanks to Road Supervisor Nimohay, for his efforts regarding flooding on her property. Ms. Perry stated her property is still experiencing flooding. Councilman Marolda stated that the developer does not have final site plan and this will be addressed at that time.

Brian Fatcher, Kimberly Lane wanted to know if Mayor Zappariello, who was absent, had any answers regarding flooding and farm fields.

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.

ORDINANCE NO. 672: NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:

**ORDINANCE REPEALING AND REPLACING ARTICLE III CHAPTER
13 CONTAINER PICKUP FACILITY/CONVENIENCE CENTER
M Mancuso/S Alvarez**

§131-12 ESTABLISHMENT; PURPOSE.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
OCTOBER 22, 2018**

PAGE 2

- A. There is hereby established in the Borough of Buena, a collection point to be known as the “Borough of Buena Container Pickup Facility/Convenience Center.” To be located on municipal property in the area behind the existing Road Department garage on Summer Avenue in the Borough of Buena.
- B. The purpose of the Container Pickup Facility/Convenience Center is to provide residents and property owners who are not engaged in a commercial business or enterprise on the property and who would be required to hire a third party to remove household trash or bulky waste which is generated on the property, but which is not otherwise suitable for curbside collection, with a place to dispose of such trash and bulky waste.

§131-13 APPLICABILITY OF USE.

The Container Pickup Facility/Convenience Center shall be available only to residents and property owners of the Borough of Buena who reside on property at which household trash or bulky waste is accumulated and shall be used only for the disposal of household trash or bulky waste which is not otherwise suitable for curbside collection. The Container Pickup Facility/Convenience Center may also be used for the disposal of recyclable items as hereinafter set forth in this article. No resident or property owner shall deliver in excess of three cubic yards of bulky household trash to the Container Pickup Facility/Convenience Center at one time, and the Borough shall have the right to deny a resident or property owner access to the Container Pickup Facility/Convenience Center in the event that such resident or property owner is using a vehicle to deliver items in excess of three cubic yards for the purpose of delivering bulky household trash to the Container Pickup Facility/Convenience Center.

§131-14 HOURS OF OPERATION.

Saturdays 8:00 a.m.-2:00 p.m.

Bulkywaste-3rd Saturday of each month-8:00 a.m.-12:00 p.m.

§131-15 WASTE APPROPRIATE FOR DISPOSAL AT CENTER.

A. All residential trash, excluding putrescible matter and trash otherwise collected at curbside by the municipal trash contractors, may be placed in the container to be located at the Container Pickup Facility. Such items shall include bulky waste generated by residential properties in the Borough of Buena. Those items which are too large to be placed in the container may be placed on the ground next to such container.

B. All metal items and white goods, including refrigerators, stoves, washing machines and similar items, shall be placed in an area specifically designated for this type of material.

C. Construction materials resulting from minor construction, minor remodeling and minor repair of a residential property or dwelling unit shall be accepted, provided that such construction material does not exceed three cubic yards. Such construction materials shall be placed in an area especially designated for such material. For purposes of this section, the re-shingling or reconstruction of a roof shall not be deemed minor construction or repair where more than three cubic yards of shingles and/or other construction debris is to be disposed of at the Convenience Center.

D. The following items shall not be deposited in the Container Pickup Facility.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
OCTOBER 22, 2018**

PAGE 3

1. Kitchen garbage.
2. Liquids of any type.
3. Chemicals, solid or liquid.
4. Masonry debris, including but not limited to bricks, stones, cement, or concrete.
5. Dirt, sand and fill.
6. Toxic, hazardous or explosive materials.
7. Any rubbish from commercial or industrial establishments. Trash or debris arising from the construction, reconstruction or repair of rental units, whether or not such rental units are residential in nature, is deemed to be commercial in nature.
8. Building materials, including but not limited to materials from buildings which are being demolished or removed, or materials from new building construction or alterations,
9. Tree limbs, grass cuttings or leaves.

§131- 16 MATERIALS APPROPRIATE FOR DEPOSIT IN RECYCLING CONTAINER.

The following materials may be disposed of at the Convenience Center as directed by signs or attendants at the site:

- A. Newspapers, magazines, cardboard and similar paper material.
- B. Glass.
- C. Plastic bottles or containers.
- D. Aluminum and other cans.
- E. Tree limbs, grass cuttings and leaves.

§131-17 DUTIES OF ROAD DEPARTMENT.

In order to effectuate the provisions of this article, the Container Pickup Facility/Convenience Center shall be maintained by the Road Department which shall see to the proper use of the facility by municipal residents and property owners and which shall check to verify that only Borough residents and property owners are using said facility/convenience center.

§131-18 USE BY NONPROFIT ORGANIZATIONS.

The Container Pickup Facility/Convenience Center may be utilized by nonprofit organizations in the Borough of Buena such as social clubs, churches, fire companies, rescue squads and similar nonprofit organizations, provided that the trash placed in the container and recycling center by such organizations is of a household nature as required by this article.

§131-19 RESTRICTIONS ON TRASH GENERATED AT NONRESIDENTIAL SOURCES.

The Council of the Borough of Buena has determined that commercial, industrial or agricultural establishments in the Borough of Buena are capable of disposing of trash and bulky items in the regular course of business, since the cost of such disposal can be treated as a business expense. As a result, and to minimize the cost to residents of disposing of residential bulky household trash as provided for in this article, trash generated by commercial, industrial or agricultural sources shall not be disposed of at the Borough of Buena Container Pickup Facility/Convenience Center, notwithstanding that the owners of such commercial, industrial or agricultural establishments may be residents of the Borough of Buena, may own one or more residential properties in the Borough of Buena or may reside in the structure where the commercial, industrial or agricultural trash is generated.

§131-20 VIOLATIONS AND PENALTIES.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
OCTOBER 22, 2018**

Any person who shall violate any provision of this article shall, upon conviction, be liable for a fine of not more that \$500.00 or for imprisonment for a term not more that 90 days, or both in the discretion of the Municipal Court.

§131-21 CONSTRUAL OF PROVISIONS.

This article shall be interpreted so that the proposed Container Pickup Facility/Convenience Center is consistent with and not in violation of any state law or any regulation of the Department of Environmental Protection, the Atlantic County Solid Waste Management Plan and any solid waste regulation of the County of Atlantic.

§131-22 FEES FOR THE CONVENIENCE CENTER.

Municipal fees for the disposal of appropriate items at such Facility/Convenience Center shall be set as follows:

ITEM	AMOUNT	FEES
General waste	0 to 3 cubic yards	\$50.00
Roofing shingles	Up to 1 ½ cubic yards	\$50.00
Roofing shingles	1 ½ to 3 cubic yards	\$75.00
Minimum for bulky household trash		\$5.00 per piece
Each passenger car tire		\$5.00
Concrete up to 2 bushels		\$5.00
Concrete up to ½ pickup truck		\$20.00
Concrete up to 1 pickup truck		\$40.00

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

Ordinance will be reintroduced with revisions at a future meeting.

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
OCTOBER 22, 2018

PAGE 5

MOTION TO APPROVE CONSENT AGENDA:
m/Mancuso s/Alvarez

- RESOLUTION 104-18 A RESOLUTION ESTABLISHING AND IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF VARIOUS PROFESSIONAL SERVICE AGREEMENTS.
- RESOLUTION 105-18 A RESOLUTION AUTHORIZING THE BOROUGH OF BUENA TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH RHONDA CIRAOLO WHICH WILL REPLACE THE PRIOR AGREEMENT BETWEEN THE PARTIES DATED AUGUST 15, 2017
- RESOLUTION 106-18 A RESOLUTION AUTHORIZING AND DIRECTING THE COUNCIL OF THE BOROUGH OF BUENA TO POST AND FILE A SCHEDULE OF ALL MEETINGS OF THE COUNCIL AS REQUIRED BY THE OPEN PUBLIC MEETINGS ACT OF 1975; AND DESIGNATING CERTAIN NEWSPAPERS TO RECEIVE SAID NOTICES AS REQUIRED UNDER THE OPEN PUBLIC MEETINGS ACT FOR THE YEAR 2019.
- RESOLUTION 107-18 RESOLUTION AUTHORIZING A REPEAL AND REPLACEMENT OF ARTICLE III, CHAPTER 131 OF THE ORDINANCES OF THE BOROUGH OF BUENA
- RESOLUTION 108-18 A RESOLUTION OF THE BOROUGH OF BUENA APPOINTING MICHAEL CORSIGLIA TO THE POSITION OF LABORER 2 FOR THE DEPARTMENT OF STREETS & ROADS
- RESOLUTION 108A-18 RESOLUTION AUTHORIZING STREET OPENINGS AT 101 JOHNS AVENUE, BLOCK 129, LOT 1, 104 JOHNS AVENUE, BLOCK 128, LOT 8.05 AND 406 BUENA VISTA AVENUE, BLOCK 201, LOT 52.02 IN ORDER TO ACCESS UTILITIES

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

ADMINISTRATORS' S REPORT:

EMS:

I have a preliminary meeting with the Administrator of Buena Vista Township on Thursday morning to discuss their EMS department.

Court:

Working on renewing agreement with Franklin Township. Newfield is interested in entering into the agreement to become part of the joint court.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
OCTOBER 22, 2018**

PAGE 6

Website:

Working with the County to stream-line the look of the Borough website. It currently appears outdated and overcrowded.

CDBG:

- I am finalizing application for the demolition of the bakery (441 Wheat Road). The total, with asbestos removal, is \$35,500.00. The other quotes were both over \$100,000.00.
- Mr. Nimohay is soliciting quotes to build new bathrooms for the park. The scope of work will require multiple contractors that Mr. Nimohay will be supervising. Building will be concrete block with 2 or 3 separate stalls depending on costs. Councilmen McAvaddy and Marolda have inspected the bathrooms and agree they need to be replaced. Mr. Nimohay is confident that this will be completed by the spring if we are approved to use the funds. Once Bill gets quotes, I will prepare the application.
- Homeowner Rehab Program – we have 7 residents on the list. If we have money left over

SOLICITOR'S REPORT:

Convenience Center Ordinance

Preparation of same.

Liberty Village

Working with engineer on compliance.

Meetings Attendance

Master Plan Presentation at the Land Use Board Meeting on 10/23/18.

Madison Estates with Borough Engineer and Bond Counsel on 10/25/18.

Solicitor Costigan reported that a group home, formerly exempt, located in the Borough was assessed taxes in the amount of \$6,109.14 for the year 2018. The owners have requested payments made for the last two years under the PILOT agreement be applied to this amount. Council was not in favor of granting this request.

COMMITTEE REPORTS:

ROADS/RECYCLING: (COUNCILMAN MAROLDA)

Councilman Marolda reminded those present that the master plan is being considered at the regular meeting of the land use board.

Updates were given on Louis Drive, Plymouth Street culvert and Belvidere Avenue.

ECONOMIC DEVELOPMENT: (COUNCILMAN WALKER) None

RECREATION: (COUNCILWOMAN PRESIDENT BAKER)

Council President Baker reported that the Route 54/40 Shuttle had 909 passengers during the month of September.

This Saturday, October 27th, the Landisville Fire Company will have its Annual Beef B.B.Q. Fundraiser from 11AM to 2PM

Trick or Treat will be Saturday, October 27th from 2 P.M. to 4 P.M.

On Sunday, November 4th Buena Regional Marching Band will have a Breakfast Fundraiser at Martin's Catering from 8 A.M. to 12 P.M. Tickets are \$10.00.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
OCTOBER 22, 2018**

PAGE 7

Also on Sunday November 4th, Our Lady of the Blessed Sacrament will have a Macaroni Dinner. 11:30AM to 5PM at the Parish Center \$10.00 per adult donation \$5.00 children donation.

FINANCE: (COUNCILMAN MANCUSO) None

PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN ALVAREZ)

Councilman Alvarez provided statics from E.M.S and the police department for the previous month.

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY) None

CLERK'S REPORT:

Minutes of the regular meeting of October 9, 2018 were approved m/Marolda s/Mancuso

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

UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

BILLS PAID AS LISTED: m/Mancuso s/Alvarez

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

NEXT MEETING: NOVEMBER 13, 2018

MEETING ADJOURNED: m/Mancuso s/Marolda RCVU

MARYANN CORALUZZO, BOROUGH CLERK