

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 AGENDA
 OCTOBER 22, 2018

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MEETING CALLED TO ORDER: P.M.
 MEETING ADJOURNED: P.M.

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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

SUNSHINE LAW: This meeting 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, 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:
 Anyone wishing to address Mayor and Council only, please step forward and give your name and address for the record.

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 _____ S _____

§131-12 ESTABLISHMENT; PURPOSE.

- 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

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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.

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.

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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.

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.

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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

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MOTION TO APPROVE CONSENT AGENDA:

M _____ S _____

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

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ADMINISTRATORS' S REPORT:

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.

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COMMITTEE REPORTS:

ROADS/RECYCLING..... CHAIRMAN JEFFREY MAROLDA
JOSEPH MANCUSO, GREG MCAVADDY

ECONOMIC DEVELOPMENT.....CHAIRMAN MATTHEW WALKER
JOSEPH MANCUSO, ROSALIE M. BAKER

RECREATIONCHAIRWOMAN ROSALIE M. BAKER, JORGE
ALVAREZ, MATTHEW WALKER

FINANCE.....CHAIRMAN JOSEPH MANCUSO, ROSALIE M.
BAKER, MATTHEW WALKER

PUBLIC SAFETY/STREET LIGHTS.....CHAIRMAN JORGE ALVAREZ, GREG
MCAVADDY, JEFFREY MAROLDA

BLDGS/GROUNDS/IMPROVEMENTS.....CHAIRMAN GREG MCAVADDY,
MATTHEW WALKER, JORGE ALVAREZ

CLERK'S REPORT:

Minutes of the regular meeting of October 9, 2018. If no corrections or additions, entertain a motion to approve M _____ S _____

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
MAROLDA					
WALKER					
BAKER					
MANCUSO					
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UNFINISHED BUSINESS:

NEW BUSINESS:

BILLS PAID AS LISTED: M _____ S _____

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NEXT MEETING: NOVEMBER 13, 2018

MEETING ADJOURNED: M _____ S _____ All in favor? Any opposed?