

MEETING OF MAYOR AND COUNCIL
WEDNESDAY, MARCH 26, 2014 - 7:00 P.M.

* MEETING CALLED TO ORDER * STATEMENT REGARDING OPEN
PUBLIC MEETING LAW * SALUTE TO THE FLAG

Mayor Martin called the meeting to order at 7 p.m. Adequate notice was provided as is required by the Open Public Records Act with publication in the Home News Tribune and posting on the bulletin board at the Helmetta Municipal Building. All in attendance Pledged Allegiance to the Flag.

* CALLING OF THE ROLL:

Asciolla – arrived 7:10 p.m.
Bruno
Estrada
Janeczek - absent
Slavicek - absent
Vidal

* OATH OF OFFICE

Borough Attorney David Clark administered the Oath of Office to Michael Baltazar -
Class II Special Police Officer

* PUBLIC PORTION – No one from the Public wished to speak.

* CONSENT AGENDA – RESOLUTION # 2014 –94

Report of Municipal Clerk, Tax Collector, Utility Revenue Collector

RESOLUTIONS:

#86 - Resolution to Welcome the 2014 Special Olympics U.S.A. games and all
Special Olympics Athletes and Volunteers to New Jersey

#87 – Resolution for setting forth reason for delay of introduction of Municipal
Budget for 2014

#88 – Self-Examination of Budget Resolution

#89 – Resolution authorizing payment to AIG Retirement of \$400.00 pursuant to
To LOSAP for calendar year 2010

#90 – Introduction of Budget

#91 – Opposition to Bill. No. A-2621

#92 – Payment of Bills

#93 – Appointment of Police Director Robert A. Manney

MOTION – Clwmn. Vidal SECOND – Clwmn. Bruno

ROLL CALL: 3 – 0

REPORT OF MUNICIPAL CLERK - FEBRUARY,
2014

	Copies	Marr Lic	Plng Bd	Towing	Licenses	Lndlr Reg	Recycling
Branda	\$100.00					\$100.00	

McKibbin	\$100.00		\$100.00
Schrager	\$100.00		\$100.00
Macellaro	\$100.00		\$100.00
Carver	\$100.00		\$100.00
Stechman	\$100.00		\$100.00
Zwolinski	\$0.10	<u>\$0.10</u>	
Dattolo	\$100.00		<u>\$100.00</u>
Galdamez	<u>\$28.00</u>		<u>\$28.00</u>
TOTAL	\$728.10	\$0.10	\$28.00

Dog and Cat License \$245.00

Town of Helmetta

REPORT OF THE TAX COLLECTOR

Month of: February, 2014

Period: March 3, 2014

Revenues - 2013	\$ 13,679.09
Revenues - 2014	\$ 770,736.05
Revenues - 2015	

Interest	\$ 878.80
Costs	
Search	
Return Check fee	\$ 25.00
Arch Printouts	
uplicate Bill Fee	\$ 10.00
Other	

TOTAL \$ 785,328.94

Collectors Trust

Prior Balance	\$ 34,700.00
Receipts	\$ 941.86
Disbursements	\$ 1,141.86

Denise Jawidzik

Denise Jawidzik

Tax Collector

ADJUSTMENTS

Closing Balances

	Debit	Credit	Net
2014	\$ 1,348,450.27	\$ (263.34)	\$1,348,186.93
	\$		
2013	77,139.43		\$ 77,139.43

Disbursements

#165	\$ 941.86
#166	\$ 200.00

Balance	\$ 34,500.00	
Premium Balance	\$ 34,500.00	\$ 1,141.86

Water/Sewer Receipts Report

February 2014

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2012 Principal	\$ -	\$ -	\$ -
2013 Principal	3,884.47	3,423.97	7,308.44
2014 Principal	<u>32,628.94</u>	<u>35,066.81</u>	<u>67,695.75</u>
Subtotal	36,513.41	38,490.78	75,004.19
Interest	<u>187.09</u>	<u>148.94</u>	<u>336.03</u>
Subtotal	36,700.50	38,639.72	75,340.22
Final Water Reads	20.00		20.00
NSF Returned Check	181.74	-	181.74
Refund Overpayment	-	-	-
NSF Bank Fees	25.00	-	25.00
New Water Meter	-	-	-
Connection Fee	-	-	-
Water Meter Testing	-	-	-
Transfer in from Tax	-	-	-
Transfer out to Tax	<u>-</u>	<u>-</u>	<u>-</u>
	<u>\$36,927.24</u>	<u>\$ 38,639.72</u>	<u>\$ 75,566.96</u>

Carol Feig
 Utility Revenue Collector

RESOLUTION
#2014 – 86

**RESOLUTION TO WELCOME THE 2014 SPECIAL OLYMPICS U.S.A. GAMES
AND ALL SPECIAL OLYMPICS ATHLETES AND VOLUNTEERS
TO NEW JERSEY**

WHEREAS, Special Olympics is an international organization that unleashes the human spirit through the transformative power and joy of sports every day around the world; and

WHEREAS, through work in sports, health education and community building, Special Olympics is addressing inactivity, injustice, intolerance and social isolation by encouraging and empowering people with intellectual disabilities, which leads to a more welcoming and inclusive society; and

WHEREAS, founded in 1968 by Eunice Kennedy Shriver, the Special Olympics movement has grown from a few hundred to nearly 4.2 million athletes in over 170 countries; and

WHEREAS, with the support of more than one million coaches and volunteers, Special Olympics is able to deliver 32 Olympic-type sports and more than 70,000 competitions throughout the year, and in national and international competitions; and

WHEREAS, New Jersey has been selected to host the 2014 Special Olympics USA Games, which will take place June 14 – 21, 2014, with venues throughout Mercer County including Princeton University, Rider University, The College of New Jersey, the Lawrenceville School, the Hun School of Princeton, the Peddie School, the Sun National Bank Center and Mercer County Park, and Brunswick Zone-Carolier in Middlesex County, following the Opening Ceremony at Prudential Center in Newark; and

WHEREAS, the 2014 USA Games will feature nearly 3,500 athletes competing in 16 Olympic-style sports, with the support of 1,000 coaches, 10,000 volunteers and an estimated 70,000 family, friends and spectators; and

WHEREAS, the 2014 USA Games will showcase 270 Special Olympics athletes from New Jersey competing in this national event; and

NOW THEREFORE BE IT RESOLVED, that the Borough of Helmetta wholeheartedly supports the work of Special Olympics to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of their gifts, skills and friendship with their families, other Special Olympics athletes and the entire community and to promote greater understanding, appreciation and acceptance among all; and

BE IT FURTHER RESOLVED, that the Borough of Helmetta welcomes to New Jersey all the athletes, families, coaches, officials and volunteers, who will make these 2014 USA Games a tremendous success, and that we salute the corporate partners and volunteers and that we congratulate all who live by the motto of Special Olympics: "Let me win, but if I cannot win, let me be brave in the attempt.

MOTION – Clwmn. Vidal SECOND – Clwmn. Bruno
ROLL CALL: 3 - 0

**Resolution
#2014-87**

**RESOLUTION FOR SETTING FORTH REASON FOR DELAY
OF INTRODUCTION OF MUNICIPAL BUDGET FOR 2014**

WHEREAS, according to N.J.S.A. 40A:4-5.1 and the Director of the Division of Local Government Services, a Municipality which does not introduce its Municipal Budget for 2014 by March 14, 2014, must set forth its reasons for such delay; and

WHEREAS, the Borough Council of the Borough of Helmetta did not complete its 2014 Budget until March 17, 2014; and

WHEREAS, after finalizing the 2014 Municipal Budget, time was required for the typing thereof; and

WHEREAS, the Borough Council was unable to assemble with a quorum for a public meeting until March 26, 2014;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Helmetta requests the Director of the Division of Local Government Services to accept the late filing of the Borough of Helmetta's 2014 Municipal Budget.

E IT FURTHER RESOLVED, by the Mayor and Borough Council of the Borough of Helmetta, that the Borough Clerk be and she is hereby authorized to forward copies of the within Resolution, certified to be true copies to the following:

1. Division of Local Government Services
Department of Community Affairs
PO Box 803
Trenton, New Jersey 08625
2. Gerard Stankiewicz, CPA, RMA, Borough Auditor

MOTION – Clwmn. Vidal SECOND – Clwmn. Bruno
ROLL CALL: 3 - 0

**Resolution
#2014-88**

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Helmetta has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Helmetta that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget'a. Payment of interest and debt redemption charges

- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption

MOTION – Clwmn. Vidal SECOND – Clwmn. Bruno
ROLL CALL: 3 – 0

RESOLUTION

#2014 - 89

**RESOLUTION AUTHORIZING PAYMENT TO AIG RETIREMENT OF \$400.00
PURSUANT TO LOSAP FOR CALENDAR YEAR 2010**

WHEREAS, the Borough of Helmetta approved a Length of Service Awards Program (LOSAP) (“the Program”) for its volunteer firefighters beginning January 1, 2003; and

WHEREAS, the Borough has entered into an agreement with AIG Valic, now known as AIG Retirement to provide financial support for the Program.

WHEREAS, the program provides for a payment of \$400.00 into the LOSAP Retirement Plan to those firefighters that meet the qualifying requirements of the Program; and

WHEREAS, firefighter Duane Hoven has met the qualifying requirements of the Program for calendar year 2010 but whose name was inadvertently left off the list,

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Chief Financial Officer is hereby authorized to issue a check in the amount of Four Hundred Dollars (\$400.00) to AIG Retirement for the year 2010.

MOTION – Clwmn. Vidal SECOND – Clwmn. Bruno
ROLL CALL: 3- 0

RESOLUTION

#2014 – 90

INTRODUCTION OF BUDGET

RESOLUTION # _____

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Borough of Helmetta, County of Middlesex for the Fiscal Year 2014.

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014;

Be It Further Resolved, that said Budget be published in The Home News and Tribune

in the issue of April 10, 2014

The Governing Body of the Borough of Helmetta does hereby approve the following as the Budget for the year 2014:

RECORDED VOTE
(insert last name)

Ayes	Nays	Abstained	Absent

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the

Borough of Helmetta, County of Middlesex, on March 26th, 2014.

A Hearing on the Budget and Tax Resolution will be held at Borough Hall, on April 23, 2014 at

7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2014 may be presented by taxpayers or other

interested persons.

RESOLUTION

2014 – 91

OPPOSITION TO BILL NO. A-2621

WHEREAS, Bill A-2621 would allow the County to take over assessing the individual municipalities in Middlesex County and Counties throughout the State; and

WHEREAS, this would not only be fair to our residents but also be very costly; and;

WHEREAS, this would require that all municipalities perform a full revaluation; and

WHEREAS, the County would pay for the revaluation but pass these costs on to the taxpayers of Middlesex County; and

WHEREAS, the Borough of Helmetta has done a revaluation and it would not be fair for our residents to indirectly fund the costs of revaluations in large municipalities;

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Helmetta hereby opposes Bill A-2621 and a copy of this resolution be forwarded to Governor Christie, Senator Barnes, Assemblyman Patrick J. Diegnan, Assemblywoman Nancy Pinkin, and the League of Municipalities.

MOTION – Clwmn. Vidal SECOND – Clwmn. Bruno

ROLL CALL: 3 - 0

RESOLUTION #2014 – 92

PAYMENT OF BILLS

WHEREAS, the payment of bills shall be paid as per the bill list.

MOTION – Clwmn. Vidal SECOND – Clwmn. Bruno

ROLL CALL: 3 - 0

*** APPROVAL OF MINUTES of February 26, 2014**

MOTION – Clwmn. Bruno SECOND – Clwmn. Vidal

ROLL CALL: 3 – 0

*** COMMITTEE REPORTS: MAYOR, BOROUGH ATTORNEY, BOROUGH ENGINEER, DEPARTMENT COMMITTEE REPORTS**

Finance – The Budget was introduced this evening. The average increase for the Homeowner is \$24.03. The Mayor thanked the Borough Administrator and the C.F.O. for all the work they did on it.

In the absence of Clmn. Slavicek, the Mayor read a report he sent in. A meeting was held with Brandon and Sandy, on April 26 we will have Earth Clean Up Day to promote a clean environment. It will be from 9:00 a.m. to 12:00 noon. There will be a birdhouse craft for the children.

Brandon made a flyer for recycling enforcement in Heather Glen. They are creating a door hanger which will include all items that can be recycled. It will be included with the water bills.

Education – Clwmn. Bruno said the School Budget was passed along. The new school calendar and year activities for the remainder of the year have been changed due to school days. They are posted on our website. She thanked Santokh Singh for quickly putting the items on the website

Recreation – the Senior Dinner will be held on Saturday. To date we have 24 signed up. Helmetta Day will be held on June 7. She would like everyone on Council to take part. Flyers are made up and she has them available this evening. A promoter and DJ was paid for by her father. The Easter Egg Hunt will be held by the lake.

Clmn. Ascioffa arrived AT 7: 10 P.M.

* RECITING OF ORDINANCES ON FIRST READING

**ORDINANCE
#2014- 2**

**AN ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) IN
THE BOROUGH OF HELMETTA, COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY**

WHEREAS, the Local Government Cap Law (N.J.S.A. 40A:4-45.1 et seq.) provides that in the preparation of its annual budget, a municipality shall limit any increase in the budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40:4-45.14a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Helmetta in the County of Middlesex finds it advisable and necessary to increase its CY2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the residents; and

WHEREAS, the Borough Council of the Borough of Helmetta hereby determines that a 3.5% increase in the budget for CY2014 over CY2013, amounting to \$53,165.56 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Borough Council of the Borough of Helmetta hereby determines that any amount authorized above not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Helmetta, in the County of Middlesex and State of New Jersey, a majority of the full authorized membership of the Governing Body affirmatively concurring, that in the CY2014 budget year, the final appropriations of the Borough of Helmetta shall, in accordance with this Ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% over the CY2013 final appropriations, amounting to \$53,165.56, and the CY2014 municipal budget for the Borough of Helmetta be approved and adopted in accordance with this Ordinance; and

BE IT FURTHER ORDAINED that any amount authorized by this Ordinance that is not appropriated as part of the final CY2014 budget shall be retained as an exception to final appropriations in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of its introduction; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with the Director of the Division of Local Government Services within five (5) days of final adoption; and

BE IT FURTHER ORDAINED that if any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent herewith are repealed, but only to the extent of such inconsistency; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon adoption and publication as required by law.

MOTION – Clmn. Ascioffa SECOND – Clwmn. Bruno
ROLL CALL: 4- 0

ORDINANCE
#2014 - 3

An Ordinance of the Borough of Helmetta, County of Middlesex, State of New Jersey, Fixing and Determining Salary Ranges for Certain Employees and Officials in the Borough of Helmetta, Middlesex County, New Jersey.

Be it ordained by the Mayor and Council of the Borough of Helmetta, County of Middlesex, State of New Jersey that the following attached salary schedule is approved effective January 1, 2014.

The Salary Ordinance may be amended from time to time as needed to account for new collective bargaining agreements.

Be it further ordained that the Borough Administrator is hereby authorized to establish salaries within the posted ranges pursuant to any collective bargaining agreement.

Be it further ordained that the Borough Administrator is hereby authorized to establish salaries within the posted ranges for all other Borough personnel.

Be it further ordained the Mayor or other appropriate authority provided by ordinance shall appoint all Department Heads subject to the Council Confirmation.

Be it further ordained that the Borough Administrator is hereby authorized to hire all employees (excepting as to Department Heads), promote, discipline and terminate (per collective bargaining contract where required) all Borough personnel.

Be it further ordained that this ordinance shall repeal all other ordinances or parts thereof that are in conflict or inconsistent with this ordinance.

MOTION – Clmn. Ascioffa SECOND – Clwmn. Estrada
ROLL CALL: 4 – 0

*** NEW BUSINESS**

Borough Administrator Herb Massa introduced our new Police Director, Robert Manney. All the Council welcomed him.

*** ADJOURNMENT**

There being no further business a motion to adjourn was made by Clwmn. Estrada and Clwmn. Vidal.