

MINUTES-- DECEMBER 22, 2016
MEETING OF MAYOR AND COUNCIL
7:00 PM

* MEETING CALLED TO ORDER – SALUTE TO THE FLAG - MOMENT OF SILENCE

The meeting was called to order at 7:00 p.m. by Mayor Chris Slavicek. He asked everyone to please stand for the Pledge of Allegiance and remain standing for a moment of silence for our men and women serving in the military protecting our freedom.

* CALLING OF THE ROLL

Mayor Slavicek
Councilman Karczewski
Councilman Dzingleski
Councilwoman Carolan-Genthe - absent
Councilman Peckham
Councilman Perez
Councilman Reid
Also in attendance:
Borough Administrator Matthew Crane
Borough Attorney Joseph Youssouf

* OPEN PUBLIC MEETINGS ACT STATEMENT

Adequate notice of this meeting has been provided as is required under Chapter 231 Public Law 1975 specifying the time, date, location and to the extent known the agenda by posting a copy on the bulletin board in the Municipal Building outside of the meeting room and providing a copy to the Home News Tribune and Sentinel newspapers and by filing a copy in the office of the Municipal Clerk in accordance with the certification which will be entered in the minutes of this meeting.

* PUBLIC PORTION

Mayor Slavicek announced that any member of the Public who wished to comment please come forward and state your name and address for the record. John Nartowicz, 2 Holly Manor Court wished everyone a Merry Christmas and a Happy New Year. He commented that the agenda and minutes have not been on the website for four Month. The Borough Administrator will look into this but he said October and November being approved today and then they can go on the web site. Mr. Nartowicz said that rumor has it that talks were being held with Spotswood for them to take over our Police Department. The Mayor asked him where he heard these rumors and he said on the street and from people in Spotswood. The Mayor said these rumors are just rumors. The Mayor said we met with Spotswood about Police dispatch as our contract will soon be up. He believes that Spotswood would like to take us over. Mr. Nartowicz feels that we should prepare a RFP. Councilman Karczewski said that if we go to Spotswood we would lose all control. A lengthy discussion still ensued regarding the Police Department and what their operating costs. The Mayor suggested

that Mr. Nartowicz set up a meeting with the Public Safety Committee to continue this conversation.

Maria Karczewski, 4 York Drive said she was surprised that someone would even think about merging the Police Department with another town. She sees the Police on her street and her children feel secure

* CONSENT AGENDA - RESOLUTON # 2016 - 184

Report of Utility Collector

Resolutions:

#2016 – 185 Appointing Acting Municipal Clerk

186 Approval of Junior Fire Department Member (Mallorie Murawski)

187 A Resolution Authorizing Year 2016 Budget Transfers

~~188 Resolution Authorizing Payment to Valic of \$6,800 Pursuant to LOSAP for Calendar Year 2013~~

~~189 Resolution Authorizing Payment to Valic of \$4,800 Pursuant to LOSAP for Calendar Year 2014~~

~~190 Resolution Authorizing Payment to Valic of \$5,600 Pursuant to LOSAP for Calendar Year 2014~~

191 Borough of Helmetta Middlesex County, New Jersey Emergency Resolution - N.J.S.A. 40A:4-48

192 Acceptance of Resignation of Kyle Worster

193 Authorization to Sign Rental Agreement for Community Center

194 Change Order and Final Authorization Payment to Jamali Developers LLC

195 Payment of Bills

MOTION – Councilman Perez

SECOND – Councilman Peckham

ROLL CALL: 5 – 0

188 Resolution Authorizing Payment to Valic of \$6,800 Pursuant to LOSAP for Calendar Year 2013

189 Resolution Authorizing Payment to Valic of \$4,800 Pursuant to LOSAP for Calendar Year 2014

190 Resolution Authorizing Payment to Valic of \$5,600 Pursuant to LOSAP for Calendar Year 2014

MOTION – Councilman Dzingleski

SECOND – Councilman Peckham

ROLL CALL: 4 – 0 – 1

* REPORT OF MAYOR, COMMITTEES, BOROUGH ATTORNEY, BOROUGH ADMINISTRATOR

Councilman Reid reported on the recreational activities. The Tree Lighting was a huge success and there was a lot people in attendance. The 55+ dinner was enjoyed by all in attendance. The Breakfast with Santa also was a success, unfortunately he had to work that day. A lot of people volunteered their time and made donations. Councilman Dzingleski thanked Wendy Vidal for baking and Christine Reid for helping. He thanked all who donated items for the gift baskets. He also thanked Stop and Shop for their donation of cookies for the Kloos' family Christmas light show. Councilman Dzingleski gave an update on the

grant from Home Depot. Unfortunately we do not meet their criteria. Councilman Reid questioned if the fenced in dog run could be used to start portable garden beds, Mayor Slavicek explained the details. Our Borough Attorney said as long as the property belongs to us there is no problem using them.

Councilman Peckham asked when we were going to get the sign at the Community Center for no overnight parking. The Mayor spoke to Darren about this and he has to order it. The Mayor will follow up on this. Councilman Peckham also saw an 18 wheeler making a U-turn in the parking lot; perhaps we should look into signage for this as well.

Councilman Perez said that the Finance Committee met and some departments did not go into detail on some of their requests and she is waiting to hear from them. Budget transfers were also discussed. Some proposals from Spotswood were also discussed.

Mayor Slavicek said our little library project is underway. A Girl Scout troop has volunteered to take on this project. Councilwoman Carolan-Genthe spoke with Spotswood and they want \$60,000.00 for Helmetta to use their library. He announced that the Clerk had by-pass surgery and is doing well. Mayor Slavicek said he would like us to keep moving forward.

Borough Administrator Matthew Crane said we received a bill from JIF and all the towns received an increase.

* CLOSED SESSION – Resolution 196

MOTION – Councilman Dzingleski SECOND - Councilman Reid
ROLL CALL – 5- 0

MOTION to go into Open Session was made by Councilman Karczewski and SECONDED by Councilman Perez. All were in favor.

* ADJOURNMENT

There being no further business the meeting was adjourned.

Meeting taped by Borough Administrator Matthew Crane
Typed by Sandra Bohinski Municipal Clerk

RESOLUTION
#2016-185

RESOLUTION APPOINTING ACTING MUNICIPAL CLERK

WHEREAS, there exists a temporary vacancy in the position of Municipal Clerk in the Borough of Helmetta; and


WHEREAS, during the interim vacancy period beginning December 12, 2016 and ending January 31, 2016 the Borough council desires to fill the vacant position until the Municipal Clerk returns.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Helmetta does hereby appoint Matthew Crane, as Acting Municipal Clerk, and to assume the authority and duties of the position.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski			✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez	✓		✓			
Reid			✓			

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.


Matthew Crane, Acting Municipal Clerk

RESOLUTION
#2016-186

Approval of Junior Fire Department Member (Mallorie Murawski)

WHEREAS, there is a need for members on the Independence Volunteer Fire Department; and

Whereas, Mallorie Murawski has made application for membership to the Fire Department and has been approved by the Membership Committee; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta, that Mallorie Murawski is hereby approved as a Junior member of the Helmetta Volunteer Fire Department.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski			✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez	✓		✓			
Reid			✓			

CERTIFICATION

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Matthew Crane, Acting Municipal Clerk

RESOLUTION
#2016-187

A RESOLUTION AUTHORIZING YEAR 2016 BUDGET TRANSFERS

WHEREAS, there are 2016 Budget Accounts which require more funding due to circumstances not known at the beginning of the year; and

WHEREAS, there will be excess balances in budget accounts in which the expenditures will be less than projected at the beginning of the year,
 And

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Helmetta, that the following year 2016 Budget Transfers be authorized and made on the records and accounts of the Borough:

<u>Budget Account</u>	<u>From</u>	<u>To</u>
6-01-26-315-025 Lease-Purchase Vehicles	\$8,320.00	
6-01-20-120-010 Municipal Clerk S&W		\$4,320.00
6-01-20-712-020 Legal Services OE		\$4,000.00
6-01-20-705-010 Finance S&W	\$2,000.00	
6-01-20-705-021 Finance OE		\$2,000.00
6-01-22-725-010 Uniform Construction Code S&W	\$200.00	
6-01-22-725-020 Uniform Construction Code OE		\$200.00
6-01-25-745-010 Police S&W	\$2,000.00	
6-01-25-745-020 Police Department OE		\$2,000.00
6-01-27-788-010 Animal Control S&W	\$200.00	
6-01-27-788-020 Animal Control OE		\$200.00
6-01-26-765-010 Street & Roads S&W	\$2,300.00	
6-01-31-827-020 Telephone Costs		\$2,000.00
6-01-31-832-020 Copying OE		\$300.00
6-01-42-855-010 Municipal Court S&W	\$300.00	
6-01-42-855-020 Municipal Court OE		\$300.00

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski			✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez	✓		✓			
Reid			✓			

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.



Matthew Crane, Acting Municipal Clerk

RESOLUTION
#2016 - 188

**RESOLUTION AUTHORIZING PAYMENT TO VALIC OF \$6,800 PURSUANT TO
LOSAP FOR CALENDAR YEAR 2013**

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

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, the Helmetta Fire Department has provided the Plan Administrator Matthew Crane with evidence that the following nineteen (17) firefighters met the qualifying requirements of the Program for calendar year 2013: Christopher Acs, Vincent Amabile, Greg Bennett, Raphael Dolce, John Dunay, Mike Duffy, Kenneth Hobbs, Duane Hoven, Eric Knapp, Daniel Leal, Pradeep Mathew, Donald McPherson, Joseph Reid, William Reid, Gary Ruskuski, Sr., Rob Simonelli, and Ron Wilson; and

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

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 Seven Thousand Six Hundred Dollars (\$6,800) to AIG Retirement for the Borough's contribution to the Length of Service Awards Program for 2013

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski	✓		✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez			✓			
Reid					✓	

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.



Matthew Crane, Acting Municipal Clerk

RESOLUTION

#2016 - 189

RESOLUTION AUTHORIZING PAYMENT TO VALIC OF \$4,800 PURSUANT TO LOSAP FOR CALENDAR YEAR 2014

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

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, the Helmetta Fire Department has provided the Plan Administrator Matthew Crane with evidence that the following nineteen (12) firefighters met the qualifying requirements of the Program for calendar year 2013: Christopher Acs, Greg Bennett, Raphael Dolce, John Dunay, Mike Duffy, Eric Knapp, Daniel Leal, Pradeep Mathew, Joseph Reid, William Reid, Rob Simonelli, and Ron Wilson; and

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

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 Seven Thousand Six Hundred Dollars (\$4,800) to AIG Retirement for the Borough's contribution to the Length of Service Awards Program for 2014

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski	✓		✓			
Carolan-Genthe						✓
Peckham		✓				
Perez			✓			
Reid					✓	

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.



Matthew Crane, Acting Municipal Clerk

RESOLUTION

#2016 - 190

**RESOLUTION AUTHORIZING PAYMENT TO VALIC OF \$5,800 PURSUANT
TO LOSAP FOR CALENDAR YEAR 2015**

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

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, the Helmetta Fire Department has provided the Plan Administrator Matthew Crane with evidence that the following nineteen (14) firefighters met the qualifying requirements of the Program for calendar year 2013: Christopher Acs, Greg Bennett, Raphael Dolce, John Dunay, Duane Hoven, Eric Knapp, Jack Kramer, Daniel Leal, Steve Magno, Pradeep Mathew, Joseph Reid, William Reid, Rob Simonelli, and Ron Wilson; and

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

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 Seven Thousand Six Hundred Dollars (\$5,800) to AIG Retirement for the Borough's contribution to the Length of Service Awards Program for 2015

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski	✓		✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez			✓			
Reid					✓	

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.



Matthew Crane, Acting Municipal Clerk

Resolution
#2016 - 191

**BOROUGH OF HELMETTA MIDDLESEX COUNTY, NEW JERSEY EMERGENCY
RESOLUTION - N.J.S. 40A:4-48**

WHEREAS, an emergency has arisen in the Water Utility Fund due to the fact that insufficient funds exist in various budgetary line items to meet the projected obligations through December 31, 2017 as follows: An emergency has arisen in the Water Utility Operating Fund due to the fact that a ratchet clause in the water purchase contract from the Township of East Brunswick caused a need for additional funds in the Other Expense line item. Expenditures of this magnitude were not anticipated at the time of preparation of the 2017 Budget; and

WHEREAS, the 2017 Water Utility Fund Budget for the Borough of Helmetta did not provide funds adequately for the aforesaid purpose and NJSA 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriations created, including the appropriation created by this resolution is \$15,000.00, of which all is for the Water Utility Fund Budget; and

WHEREAS, three percent (3%) of the total operating appropriations in the Budget for 2016 was \$80,713.99, of which \$12,673.47 was for the Water Utility Fund; and

NOW, THEREFORE, BE IT RESOLVED that, in accordance with NJSA 40A:4-48 for the Water Utility Fund budget made as follows: 1. An Emergency Appropriation be and is hereby made for the Water Utility Fund Budget: DEDICATED WATER UTILITY BUDGET: 11. Appropriations for Water Utility Operating: Other Expenses \$ 15,000.00

BE IT FURTHER RESOLVED that in accordance with NJSA 40A:4-48:

1. That said emergency appropriation shall be provided for in full in the 2017 Water utility Fund Budget.
2. That an "Emergency Note" not in excess of the above amounts be authorized pursuant to NJSA 40A:4-48 and in accordance with NJSA 40A:4-51.
3. That such note shall be executed by the Borough's Chief Financial Officer, the Mayor and the Borough Clerk.
4. That said note shall be dated when issued and may be renewed from time to time and such note and renewals thereof shall be payable on or before December 21, 2017.
5. That two certified copies of this resolution be filed with the Division of Local Government Services.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski			✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez	✓		✓			
Reid			✓			

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.

A handwritten signature in black ink, appearing to read "Matthew Crane", written in a cursive style.

Matthew Crane, Acting Municipal Clerk

Resolution
#2016 – 192

ACCEPTANCE OF RESIGNATION OF KYLE WORSTER

BE IT RESOLVED, that the resignation of Kyle Worster be and is hereby accepted with his last day of employment being December 31, 2016.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski			✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez	✓		✓			
Reid			✓			

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.



Matthew Crane, Acting Municipal Clerk

RESOLUTION
#2016 - 193

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH
OF HELMETTA AUTHORIZING THE LEASING OF PUBLIC PROPERTY
NO LONGER NEEDED FOR PUBLIC USE PURSUANT TO N.J.S.A 40A:12-14

WHEREAS; the Borough of Helmetta owns certain real property commonly known and identified as the Borough Community Center that it does not need for governmental purposes; and

WHEREAS; the use of the Community Center by citizens of the Borough and business organizations for their purposes is, in the opinion of the Mayor and Council appropriate and in the public interest; and

WHEREAS; N.J.S.A. 40A:12-14 et. seq. provides, in relevant part, that a municipality may lease any real property, capital improvement or personal property not needed for public use.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Helmetta that the property commonly known and identified as the Borough Community Center may be leased to citizens, business organizations and not for profit organizations upon such terms and conditions as may be deemed appropriate as requested.

Moved by Councilman Perez

Seconded by: Councilman Peckham

Roll Call Vote: Ayes - 5 Nays - 0
 Absent - 1 Abstain - 0-

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Helmetta on the 22nd day of December 2016.

Matthew Crane

Matthew Crane, Acting Municipal Clerk

**Resolution
#2016-194
Change Order and Final Payment Authorization**

Whereas, on Oct. 21,2014 a contract to Jamali Developers LLC was awarded in the amount of 615,833 and,

Whereas, a change order in the amount of \$1,618.25 was approved by the Borough engineer and

Whereas, progress payments to date on the contract equal in the amount of 602,964.84

Now therefore be it resolved, by the Borough Council of the Borough of Helmetta that the change order No.1 in of 1,618.25 and that a final payment in the amount of 14,486.41 is hereby authorized.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski			✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez	✓		✓			
Reid			✓			

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.



Matthew Crane, Acting Municipal Clerk

**RESOLUTION
2016 – 195
PAYMENT OF BILLS**

Payment of bills as shown as per the list.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski			✓			
Dzingleski			✓			
Carolan-Genthe						✓
Peckham		✓	✓			
Perez	✓		✓			
Reid			✓			

CERTIFICATION

I, Matthew Crane, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on December 22, 2016.



Matthew Crane, Acting Municipal Clerk