

MINUTES - NOVEMBER 16, 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 7:01 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 and who have served protecting our freedom.

* CALLING OF THE ROLL

Mayor Slavicek
Councilman Karczewski
Councilman Dzingleski
Councilwoman Carolan-Genthe
Councilman Peckham
Councilman Perez
Councilman Reid

Also in attendance:

Joseph Youssouf, Esq., Borough Attorney
Matthew Crane, Borough Administrator

* 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

During the Public Portion of any Council Meeting members of the Public may only speak on topics of concern to the residents of the Borough. Each individual will be given five minutes to speak as per the Rules to Govern adopted January 4, 2016. During the Public portion of any meeting, the members of the Public as well as the Governing Body shall be courteous and respectful to one another. No comments and/or behavior that are considered disrespectful, ill-willed or with the intent to harass will be tolerated. If such behavior occurs, then that individual member of the Public will be asked to sit down and his or her turn to speak will be over, even if the five minutes is not. The meeting was opened to the Public.

John Nartowicz, 2 Holly Manor Court, asked when the sign out front will be fixed. It is an embarrassment and a safety issue. The Mayor said that it is an embarrassment and we are

looking into getting it fixed. It has been narrowed down to having problems when it rains. He talked about the budget and taxes and said it would behoove the Council to find ways to reduce taxes. One way to do so might be to outsource the Police Department; the police salaries alone. Councilman Karczewski replied that when you outsource nothing comes back to the Borough. Mr. Nartowicz said that the Police have been seen out of town at 7 – 11 and Stop and Shop. He was told if possible to take a picture of the car. Mr. Nartowicz asked who is keeping an eye on overtime with Chief Lockman being out. The Mayor said that Mark Levy from the Prosecutor's office is overseeing the Department. Mr. Nartowicz asked the possibility of us going to Robert Wood Johnson for EMS services. The Mayor said that he tried and they are not interested as we are too small and it wouldn't be cost effective for them. Mayor Slavicek told him he respects his concerns about the budget as we all are taxpayers as well. He also told Mr. Nartowicz that he is appreciative that he is voicing his concerns to the Council.

*** MAYOR'S PROCLAMATION**

The Municipal Clerk read the Mayor's Proclamation proclaiming his support of all our First Responders and HR814.

Finance Chairperson, Councilman Joseph Perez, that as Councilmembers it is our obligation to review and read the Audit and Financial Statement. It is a clean audit. Some items from the current year are being corrected. The revenue and expenditures are both down; more in the revenue than in the expenses. All points raised by the Auditor have been addressed in the Corrective Action Plan.

*** CONSENT AGENDA - RESOLUTION # 2016 - 182**

Report of Municipal Clerk

Resolutions:

#2016 – 175 - Governing Body Certification of the Annual Audit

~~176 – A Resolution Authorizing year 2016 Budget Transfers~~

177 - Resolution authorizing Reimbursement to Heather Glen Condominium Association pursuant to Chapter 299, Public Law 1989, as amended, for the year 2015

178 - 2015 Audit Corrective Action Plan

179 - Resolution requesting approval of items of revenue and appropriation

180 - Payment of bills

181 - Redemption of tax lien

MOTION – Councilman Karczewski SECOND – Councilman Perez

ROLL CALL: 6 - 0

2016 - 176 A Resolution Authorizing year 2016 Budget Transfers

Councilman Karczewski had questions about the telephone equipment

MOTION - Councilwoman Carolan-Genthe SECOND – Councilman Perez

ROLL CALL: 6 – 0

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

Mayor Slavicek acknowledged the years of service to the Borough to Tina McDermott, 1 year; Sean Signorello, Matthew Crane and Kerry Huxford, 2 years; and Darren Doran, 27 years. The Mayor thanked Officer Fricks for his assistance with Trunk & Treats on Halloween.

On-line payments for tax, water and sewer will soon be set to go.

The carpet has been installed and the tile will be laid this Friday.

The Police Department has a locker room and bathroom

Furniture had been supplied from the County through Mr. Levy.

The Helmetta Herald is ready for distribution,

The Community Center will soon be bringing us rental revenue.

Councilman Reid said that he Bonfire on October 28th had an excellent turnout. He thanked Mike from Garden State Tree Service for supplying the firewood. Our Annual Tree Lighting will be on December 2nd.

Councilwoman Carolan-Genthe said that at the Board of Education Meeting an update was given on District testing. Appleby School had a program commemorating Veterans Day. The Drug Alliance Meeting they are doing the Heroes and Cool Kids program. The track and locker rooms are almost done.

Councilman Karczewski reiterated what is being done with the floors.

The Mayor said plans are being made for a "Heroes for Heroes" night with sub sandwiches being served. He also announced that this Friday a Spaghetti Dinner at The Chelsea is being held with the profits going to the Powers family. Their son Trent has a life threatening disease.

Borough Administrator Matthew Crane said the new computers have been set up. There will be a finance meeting on December 1st.

Councilwoman Carolan-Genthe said she said people were happy that Helmetta passed out candy at the Trunk and Treat.

* SECOND READING OF ORDINANCE NO. 2016 – 6

An Ordinance amending Chapter 55 – 43 Schedule XVI: Parking during snow183 removal and other emergencies

The meeting was opened to the Public. There being no one from the Public who wished to speak, the meeting was closed to the Public.

MOTION – Councilwoman Carolan-Genthe SECOND – Councilman Dzingleski

ROLL CALL: 6 - 0

* CLOSED SESSION – Resolution #183 – Litigation, Potential Litigation (Client – Attorney Confidentiality)

MOTION – Councilman Karczewski SECOND – Councilman Perez

ROLL CALL: 6 – 0

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

* ADJOURNMENT

There being no further business, with all in favor, the meeting was adjourned at 8:22 p.m.
Our next meeting will be on December 20th.

Sandra Bohinski, RMC
Municipal Clerk

BOROUGH OF HELMETTA MAYOR'S PROCLAMATION

WHEREAS, Police Officers, Firefighters, Correction Officers, and First Responders ensure the public safety and protection of citizens and place their lives on the line while performing their duties; and

WHEREAS, Congressman David W. Jolly, (R-Florida) introduced H.R. 814, known as the "Thin Blue Line Act" on February 9, 2016 that amends Section 3592(c) title 18 of the United States Code; and

WHEREAS, this legislation provides that the killing of Law Enforcement Officers, Firefighters, Prosecutors, First Responders and Correction Officers while engaged in the performance of their official duties, because of the performance of their official duties or because of their status as a public official employee, shall be deemed as an aggravating factor while considering the imposition of the death penalty based on the status of the victim under federal law; and

WHEREAS, the recent murders of 5 Law Enforcement Officers in Dallas, Texas on July 7, 2016, as well as the deaths of numerous Law Enforcement Officers and First Responders in the United States is an example of the dangerous conditions which Law Enforcement Officers and other responders face on a daily basis; and

WHEREAS, the Borough Council of the Borough of Helmetta recognizes that all members of the Helmetta Borough Police Department, Fire Department, Rescue Squad and First Responders throughout New Jersey and the United States place themselves in harm's way in order to protect the public and ensure a safe community.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Helmetta, County of Middlesex, State of New Jersey hereby confirms for the record its support of H.R. 814 and urges the United States House of Representatives and U.S. Senate to enact this important legislation.

BE IT FURTHER RESOLVED, that the Borough Clerk shall forward copies of this Resolution, along with a letter from the Mayor to: Senator Cory Booker, Senator Robert Menendez, Congresswoman Bonnie Watson Coleman, Speaker Paul Ryan, Senator Patrick J. Diegnan, Assemblyman Robert Karabinchak, Assemblywoman Nancy J. Pinkin, the State Police Chiefs Association, and all Mayors in Middlesex County, New Jersey.

CERTIFICATION

I, Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Proclamation duly adopted by the Borough Council at the meeting held November 16, 2016.

Chris Slavicek
Mayor

RESOLUTION

#2016 - 175

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2005 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the *Borough Council* of the Borough of Helmetta, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON NOVEMBER 16, 2016

MOTION – Councilman Karczewski SECOND – Councilman Perez
 ROLL CALL: 6 - 0

RESOLUTION

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,

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	\$8,500.00	
6-01-21-720-010 Planning Board S&W		\$500.00
6-01-26-315-020 Vehicle Maint. Public Works		\$1,000.00
6-01-26-771-010 Recycling Solid Waste S&W		\$2,700.00
6-01-31-827-020 Telephone Costs		\$3,000.00
6-01-31-832-020 Copying		\$800.00
6-01-42-855-020 Municipal Court OE		\$300.00
6-01-43-746-020 Police Dispatch/Spotswood		\$200.00

MOTION – Councilwoman Carolan-Genthe SECOND – Councilman Perez
 ROLL CALL: 6 - 0

RESOLUTION
#2016 - 177

**RESOLUTION AUTHORIZING REIMBURSEMENT TO
HEATHER GLEN CONDOMINIUM ASSOCIATION
PURSUANT TO CHAPTER 299, PUBLIC LAW 1989, AS
AMENDED, FOR THE YEAR 2015**

WHEREAS, Heather Glen Condominium Association (the "Association") is a qualified private community pursuant to Chapter 299, Public Law 1989, as amended (the "Law"); and

WHEREAS, the Borough of Helmetta is required to provide to reimburse the Association for certain municipal services pursuant to the Law; and

WHEREAS, if the Borough provides reimbursement to the Association for certain municipal services, the reimbursement shall not exceed the amount that the Borough would have expended to provide the equivalent services; and

WHEREAS, the Borough and the Association entered into an Agreement dated June 23, 1994 providing for the reimbursement procedure for covered municipal services; and

WHEREAS, RCP Management Company, on behalf of the Association, submitted bills from Midco Waste Systems for garbage and recycling services for the year 2015 in the amount of \$54,799.23, which represents garbage and recycling pickup at twice the frequency of the Borough pickup; and

WHEREAS, the Chief Finance Officer has determined that the cost that would have been paid by the Association if they had the same level of service provided by the Borough to be \$27,399.62; and

WHEREAS, the Chief Finance Officer has determined that, under the Borough's agreements in place for 2015, it would have cost the Borough approximately \$65,065.00 to provide equivalent services; and

WHEREAS, RCP Management Company, on behalf of the Association, submitted bills from Jersey Central Power & Light for street lighting for the year 2015 in the amount of \$6,946.50; and

WHEREAS, the Borough is responsible for forty percent (40%) of the street lighting bill as certain of the lights illuminate private parking areas.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Helmetta that the Chief Financial Officer be and is hereby authorized to issue a check in the amount of \$30,178.22 to Heather Glen Condominium Association representing 2015 garbage reimbursement of \$27,399.62 and 2015 street light reimbursement of \$2,778.60.

MOTION – Councilman Karczewski SECOND – Councilman Perez
ROLL CALL: 6 - 0

RESOLUTION
#2016 - 178

2015 Audit Corrective Action Plan

The following steps will be taken to address the comment of the Borough of Helmetta Auditor as noted in the 2015 Audit Report:

With the vacancy of finance personnel and the Chief Financial Officer for several months in 2016 all corrective actions listed below will be implemented in 2017.

1. There will be a monthly proof of receivables for tax, water and sewer to the general ledger.
2. All bank reconciling items, including the municipal court, that are over 12 months old will be cancelled annually.
3. All bank reconcillations will be done monthly and balanced to the general ledger.
4. The Deputy Finance Officer will ensure that all W-9s and BRCs will be in receipt before a new vendor is set up and any purchase orders are issued to that vendor.
5. The Deputy Finance Officer will print and mail 1099s by the end of January.
6. Once the budget is adopted a salary ordinance will be done annually to cover all positions.
7. The Business Administrator will review the LOSAP program to ensure that if there is a necessary LOSAP payment to be made it is budgeted for and issued to the LOSAP provider for the qualifying LOSAP participants.
8. The Business Administrator will document all financial procedures and computer controls.

MOTION – Councilman Karczewski SECOND – Councilman Perez
ROLL CALL: 6 - 0

RESOLUTION

#2016- 179

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

Section 1

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Helmetta, in the County of Middlesex, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$3,075.00, which item is now available as a revenue from the "Volunteer Fire Assistance Grant", and

Section 2

BE IT FUTHER RESOLVED that the sum of \$3,075.00 is hereby appropriated under the caption "Volunteer Fire Assistance Grant".

MOTION – Councilman Karczewski SECOND – Councilman Perez
ROLL CALL: 6 - 0

RESOLUTION

2016 – 180
PAYMENT OF BILLS

Payment of bills as shown as per the list.

MOTION – Councilman Karczewski SECOND – Councilman Perez
ROLL CALL: 6 - 0

RESOLUTION
2016 - 181

REDEMPTION OF
TAX LIEN
1 Johns Place
Cert 14-00002

WHEREAS, there exists a Tax Tile Lien on property located at 1 Johns Place owned by GHERADI, JOSEPH III & JEANNIE and known as Block 10. L 11

WHEREAS, this lien has been redeemed by Joseph & Jeannie Gherardi III,

NOW, THEREFORE, BE IT RESOLVED that a check from Tax Collector's Trust be drawn made payable to US bank Cust for BV001 Trust for redemption of this lien

1) Lien Redemption \$6,266.12
2) Premium \$1,800.00

MOTION – Councilman Karczewski SECOND – Councilman Perez
ROLL CALL: 6 - 0