

**MEETING OF MAYOR AND COUNCIL  
JANUARY 10, 2011 - 7:00 P.M.**

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

**\* CALLING OF THE ROLL:**

Clmn. Peckham  
Asciolla  
Janeczek  
Karczewski  
Perez  
Smith

**\* PUBLIC PORTION**

**\* CONSENT AGENDA – 61**

Report of Clerk, Tax Collector

2011 – 54 Resolution authorizing the Tax Collector to refund tax overpayment for 1<sup>st</sup> Quarter 2011 taxes for  
Block 20 Lot 78

2011 – 55 Resolution authorizing payment to various employees for Administrative Activities

2011 – 56 2010 Budget Appropriation Reserve Transfer

• 2011 – 57 Resolution calling on the State Legislature and the Governor to exempt the reserve for uncollected  
taxes from the 2% cap

• 2011 - 58 Attendance at Meetings and Borough sponsored events

2011 - 59 Amendment to Resolution 2011 – 14 Municipal Prosecutor Paul Granick

2011 – 60 Payment of bills

**\* Minutes of December 29, 2010**

**\* Minutes of January 1, 2011**

**\* REPORTS of Mayor, Committees, Borough Attorney, Borough Engineer, Public Works Director**

**\* ORDINANCE – FIRST READING**

2011 – 1 An Ordinance amending Chapter 13 of the Code of the Borough of Helmetta entitled “Police Department”  
and eliminating the position of Police Chief in the Borough of Helmetta.

**\* OLD BUSINESS**

**\* NEW BUSINESS**

CDBG Hearing

**\* CLOSED SESSION (if needed)**

**\* ADJOURNMENT**

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**MEETING OF MAYOR AND COUNCIL  
MINUTES OF JANUARY 10, 2011**

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

The meeting was called to order at 7:05 p.m. by Mayor Martin. Adequate notice of this meeting was provided as is required by the Open Public Meetings Law with advertising in the Home News Tribune and posting on the bulletin board. All present Pledged Allegiance to the Flag.

**\* CALLING OF THE ROLL:**

Clmn. Peckham - Present  
Asciolla - Present  
Janeczek - Present  
Karczewski - Present  
Perez - Present  
Smith - Present

**\* PUBLIC PORTION**

Diane Febinger, 4 Holly House Drive and Donna Dreyling 27 Appleby Drive, individually stood up and expressed concerns over the building of the animal shelter. They were concerned as to how it was going to be paid for and will the residents taxed go over. Mayor Martin stated that it was thought about carefully and that it will be a plus for our town.

**\* CONSENT AGENDA – RESOLUTION # 2011 - 61**

Report of Clerk, Tax Collector

2011 – 54 Resolution authorizing the Tax Collector to refund tax overpayment for 1<sup>st</sup> Quarter 2011 taxes for Block 20 Lot 78

2011 – 55 Resolution authorizing payment to various employees for Administrative Activities

2011 – 56 2010 Budget Appropriation Reserve Transfer

~~2011 – 57 Resolution calling on the State Legislature and the Governor to exempt the reserve for uncollected taxes from the 2% cap~~

~~2011 – 58 Attendance at Meetings and Borough sponsored events~~

2011 - 59 Amendment to Resolution 2011 – 14 Municipal Prosecutor Paul Granick

2011 – 60 Payment of bills

(Resolutions #57 and #58 were requested to be pulled from the agenda)

**REPORT OF MUNICIPAL CLERK**

DECEMBER, 2010

	Copies	Marriage License	License	Towing	Lndlr Reg	Plng Bd
alland	\$28.00	\$25.00	\$3.00			
chs	\$10.00					\$10.00
de	\$100.00				\$100.00	
o to Bros	\$10.00					\$10.00
s ue	\$125.00			\$125.00		
e ept	\$130.00		\$130.00			
l e	\$100.00				\$100.00	

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rantino	\$125.00					\$125.00		
	\$100.00						\$100.00	
	\$125.00					\$125.00		
	\$20.00	\$20.00						
binger	\$1.00	\$1.00						
ndola	\$125.00					\$125.00		
os	\$175.00							\$175.00
ipran	\$75.00							\$75.00
lson	\$7.10	\$7.10						
se Gomez	\$10.00	\$10.00						
ry								
minicus	\$10.00							\$10.00
erto Bros	\$550.00							\$550.00
chalowski	\$75.00							\$75.00
<b>TOTAL</b>	<b>\$1,901.10</b>	<b>\$38.10</b>	<b>\$25.00</b>	<b>\$3.00</b>	<b>\$130.00</b>	<b>\$500.00</b>	<b>\$300.00</b>	<b>\$905.00</b>

g and Cat License \$16.00

## orough of Helmetta

### PORT OF THE TAX COLLECTOR

of: December, 2010  
 ited: January 3, 2011

xes - 2010 \$ 37,213.95  
 xes - 2011 \$ 5,567.11

erest \$ 576.11

sts  
 x search  
 urn Check fee  
 arch Printouts  
 plicate Bill Fee  
 sc.

**TOTAL** \$ 43,357.17

ollectors Trust

*Denise Jawidzik*

Denise Jawidzik  
 Tax Collector

### ADJUSTMENTS

2010	Refund O/P	\$ 15,619.04
2010	6% Penalty	\$ 1,315.12

### Closing Balances

	Debit	Credit	Net
Tax 2009			\$
Tax 2010	\$ 111,556.44		\$ 111,556.44

\$ -

900049

	\$
Receipts	28,879.52
	\$
Premium	20,500.00
Disbursements	
	\$
1010	(1,250.25)
	\$
1011	(1,115.34)
	\$
1012	(7,951.43)
	\$
1013	(18,562.50)
	\$
1014	(500.00)
	\$
Balance	20,000.00

#### RESOLUTION 2011 - 54

#### RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR 1<sup>st</sup> QUARTER 2011 TAXES FOR BLOCK 20 LOT 78

**WHEREAS**, the Borough Tax Collector has received a tax overpayment for the taxes due for the first quarter of 2011 on property listed below:

20 – 78  
BCB Community Bank  
591 Avenue C  
Bayonne, NJ 07002

2011 1<sup>st</sup> \$2,137.78

**WHEREAS**, the Borough Tax Collector requests authorization from the Borough Council to refund the Overpayment to the owners of this Property.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Helmetta that the Borough Tax Collector is hereby authorized to refund the Overpayments to the Property's owner; and

**BE IT FURTHER RESOLVED** that the Borough's Chief Financial Officer is directed to issue a refund check for the Overpayment to BCB Community Bank in the amount of \$2,137.78.

**MEETING OF MAYOR AND COUNCIL  
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PAGE 4**

**RESOLUTION  
#2011 - 55**

**RESOLUTION AUTHORIZING PAYMENT TO VARIOUS EMPLOYEES FOR ADMINISTRATIVE  
ACTIVITIES**

**WHEREAS**, the position of Business Administrator has been vacant since May 21, 2008;  
and

**WHEREAS**, Sandra Bohinski, Lori Russo, Carol Feig, Darren Doran, and Charles Metz  
have been performing the duties of the Business Administrator since the vacancy; and

**WHEREAS**, the following amounts have been recommended to compensate employees  
for the administrative duties performed for the year 2011:

Sandra Bohinski	\$1,687.50
Lori Russo	8,718.75
Carol Feig	1,687.50
Darren Doran	8,718.75
Charles Metz	1,687.50

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Borough Council of the  
Borough of Helmetta hereby authorize retroactive payment to the above individuals in the  
amounts listed above for performing the duties of the Business Administrator for the year 2011.

**RESOLUTION 2011- 56  
2010 BUDGET APPROPRIATION RESERVE TRANSFER**

**WHEREAS**, various 2010 bills and claims have been presented for payment this year,  
which bills were not covered by order number and/or recorded at the time of transfers between  
the 2010 Budget Appropriation Reserve in the last two months of 2010; and

**WHEREAS**, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward  
after the close of the year are available, until lapsed at the close of the succeeding year, to meet  
specific claims, commitments, or contracts incurred during the preceding fiscal year, and allow  
transfers to be made from unexpended balances which are expected to be insufficient during the  
first three months of the succeeding year;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of  
Helmetta, County of Middlesex, State of New Jersey that the transfers in the amount of \$2,450.00  
be made between the 2010 Budget Appropriation Reserves as follows:

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Account #	Name	Amount From	Amount To
0-01-20-110-023	Mayor & Council OE-Website Administration	\$ 75.00	
0-01-20-120-020	Municipal Clerk OE	100.00	
0-01-20-705-010	Finance S & W	50.00	
0-01-20-710-010	Tax Assessor S & W	25.00	
0-01-20-710-020	Tax Assessor OE	25.00	
0-01-20-711-020	Elections	25.00	
0-01-21-720-010	Planning Board S & W	75.00	
0-01-22-725-010	Uniform Const Code S & W	25.00	
0-01-23-733-020	Health Insurance-Employee	800.00	
0-01-25-757-020	Municipal Prosecutor OE	100.00	
0-01-26-771-010	Recycling Solid Waste S & W	250.00	
0-01-27-788-010	Animal Control S & W	900.00	
0-01-25-745-020	Police OE		\$ 225.00
0-01-26-315-022	Vehicle Maint- Police		2,225.00
		\$ 2,450.00	\$ 2,450.00

#### **RESOLUTION 2011 – 59**

#### **AMENDMENT TO RESOLUTION 2011 – 14 MUNICIPAL PROSECUTOR PAUL GRANICK**

BE IT RESOLVED, by the Mayor and Council of the Borough of Helmetta that Resolution 2011 – 14 be amended to read that the payment for the Court sessions of Municipal Prosecutor Paul Granick be changed from \$350.00 to \$400.00 a session

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## PAYMENT OF BILLS

01/06/11  
11:34:37BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 1

Rcvd Batch Id Range: First			to Last		Rcvd Date Start: 0		End: 01/06/11		Report Format: Detail	
Rcvd Date		Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description		Contract		
				ABD01 JOHN ABDELMALAK						
01/06/11	LAR		10-00949	1 INV 10-1219H	58.50	0-01-20-705-020				
						FINANCE OE				
01/06/11	LAR		10-00949	2 INV 10-1219H	39.00	0-01-26-765-020				
						STREETS & ROADS OE				
01/06/11	LAR		10-00949	3 INV 10-1219H	32.50	0-05-55-500-020				
						WATER OPERATING OE				
01/06/11	LAR		10-00949	4 INV 10-1219H	32.50	0-07-55-500-020				
						SEWER OPERATING OE				
P.O. Total:					162.50					
				ACT01 ACTION DATA SVC, INC						
01/06/11	LAR		10-00548	43 INV 30215-01 P/E 12/15/10	42.14	0-01-20-705-020				
						FINANCE OE				
01/06/11	LAR		10-00548	44 INV 30215-01 P/E 12/15/10	14.04	0-05-55-500-020				
						WATER OPERATING OE				
01/06/11	LAR		10-00548	45 INV 30215-01 P/E 12/15/10	14.04	0-07-55-500-020				
						SEWER OPERATING OE				
P.O. Total:					70.22					
				AMA02 VINCENT AMABILE						
01/06/11	LAR		10-00773	1 REIMBURSEMENT - 10/8/10 DRILL	131.32	0-01-25-749-020				
						FIRE DEPARTMENT OE				
				CLE04 CLEARY GIACOBBE ALFIERI&JACOBS						
01/06/11	LAR		10-00955	1 INV 27 THROUGH 11/30/10	1,215.00	0-01-20-712-020				
						LEGAL SERVICES OE				
				FED01 FEDEX						
01/06/11	LAR		10-00964	1 INV 7-332-05648	22.99	0-01-31-831-020				
						POSTAGE				
				GAN01 GANN LAW BOOKS						
01/06/11	LAR		10-00932	1 NJ COURT RULES - 2011 EDITION	102.00	0-01-42-855-020				
						MUNICIPAL COURT OE				
01/06/11	LAR		10-00932	2 NJ COURT RULES - SHIPPING	6.50	0-01-42-855-020				
						MUNICIPAL COURT OE				
P.O. Total:					108.50					
				GPS01 GPS ANYPLACE						
01/06/11	LAR		10-00413	8 INV HEMETTA 11106	40.00	0-01-25-745-020				
						POLICE DEPARTMENT OE				
				HOM03 HOME NEWS & TRIBUNE						

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01/06/11  
11:34:37

BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 2

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Contract
01/06/11	LAR	10-00963	1 AD 0101251336	42.56	0-01-20-710-020 TAX ASSESSOR OE	
01/06/11	LAR	10-00988	JCP01 JCP&L 1 12/30/10 INVOICE	1,663.16	0-01-31-826-020 STREET LIGHTING	
01/06/11	LAR	10-00988	2 12/30/10 INVOICE	1,087.23	0-01-31-825-020 ELECTRICITY	
01/06/11	LAR	10-00988	3 12/30/10 INVOICE	444.11	0-01-31-825-021 ELECTRICITY-FIRE DEPT.	
P.O. Total:				3,194.50		
01/06/11	LAR	10-00933	MAI01 MAIN ELECTRIC SUPPLY CO., INC. 1 INV 1425651-01	216.00	0-01-26-772-020 BUILDINGS & GROUNDS OE	
01/06/11	LAR	10-00971	MON06 MONROE TOWNSHIP UTILITY DEPT. 1 12/15/10 INVOICE - HYDRANT	68.75	0-05-55-505-020 PURCHASE OF WATER	
01/06/11	LAR	10-00985	NEW31 NJ DEPT OF HLTH & SR SVC (DOG) 1 12/10 LICENSES	2.40	T-09-00-000-001 ANIMAL CONTROL EXPENSES	
01/06/11	LAR	10-00934	NOR01 NORCIA CORPORATION 1 INV 65087	109.10	0-01-26-765-020 STREETS & ROADS OE	
01/06/11	LAR	10-00938	NOR01 NORCIA CORPORATION 1 INV 65169	54.80	0-01-26-765-020 STREETS & ROADS OE	
01/06/11	LAR	10-00942	NOR01 NORCIA CORPORATION 1 INV 65159	359.20	0-01-26-765-020 STREETS & ROADS OE	
01/06/11	LAR	10-00946	NOR01 NORCIA CORPORATION 1 INV 65210 - CHAIN HOOKS	26.70	0-01-26-772-020 BUILDINGS & GROUNDS OE	
01/06/11	LAR	10-00945	NOR07 NORTH BRUNSWICK TOWNSHIP 1 WORK ORDER #3660	235.24	0-01-26-315-020 VEHICLE MAINT-PUBLIC WORKS	
01/06/11	LAR	10-00052	PRE03 PRECISION ANALYTICAL SVCS, INC 15 INV 26983 - 11/10 TESTING	32.00	0-05-55-500-020 WATER OPERATING OE	
01/06/11	LAR	10-00052	16 INV 27122 - Q4-10	375.00	0-05-55-500-020 WATER OPERATING OE	
01/06/11	LAR	10-00052	17 INV 27049 - 12/10	32.00	0-05-55-500-020	

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01/06/11  
11:34:37

BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 5

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Batch Id	Batch Total
-----	
Total for Batch: LAR	11,469.66
Total of All Batches:	=====
	11,469.66

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01/06/11  
11:34:37

BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 6

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	9,246.83	0.00
WATER OPERATING FUND	0-05	1,036.59	0.00
SEWER OPERATING FUND	0-07	58.84	0.00
Year Total:		10,342.26	0.00
GENERAL CAPITAL FUND	C-04	1,125.00	0.00
ANIMAL TRUST FUND	T-09	2.40	0.00
Total of All Funds:		11,469.66	0.00

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	Motion	Second	Aye	Nay	Abstain	Absent
Peckham		X	X			
Asciolla	X		X			
Janeczek			X			
Karczewski			X			
Perez			X			
Smith			X			

**RESOLUTION 2011 – 57**

**RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO  
EXEMPT THE RESERVE FOR UNCOLLECTED TAXES FROM THE 2% CAP**

WHEREAS, on July 13, 2010, Governor Christie signed into law P.L. 2010, c. 44, which reduced the cap on the property tax levy from 4% to 2% and limited the number of exemptions; and

WHEREAS, when the property tax levy was reduced, the exemption for the Reserve for Uncollected Taxes was removed; and

WHEREAS, in addition to collecting property taxes for its own operations, the municipality also serves as the collection agent for the county, school districts, fire districts and other special local entities; and

WHEREAS, the municipality must provide those entities with the full amount they deem necessary for their operations, regardless of the actual collection rate; and

WHEREAS, due to myriad factors beyond local control, the actual collection rate never equals the total local levy, especially during an economic downturn, when unemployment soars and property values plummet, causing an increase in tax appeals, which the municipality must defend and which subject the municipal budget to further losses, when successful; and

WHEREAS, to account for the shortfall and potential losses, State law requires the municipality to budget an appropriation in a line item known as the Reserve for Uncollected Taxes, which is generally determined through a formula driven calculation in which the variables change year to year; and

WHEREAS, without a levy cap exemption, municipalities will be forced to further cut their own operations, in order to meet the 2% tax levy cap to provide the county, school districts, fire districts and other special local entities the full amount they deem necessary for their operations; and

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**MEETING OF MAYOR AND COUNCIL  
MINUTES OF JANUARY 10, 2011  
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WHEREAS, those other local entities, which do not have to budget for collection rate short-falls or the impact of declining property values, have been granted levy cap exceptions to address factors beyond their control; and

WHEREAS, Assemblymen McKeon and Burzichelli has recently introduced A-3603, which excludes increases in appropriations to the Reserve for Uncollected Taxes in excess of two percent, from calculations of the municipal adjusted tax levy;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Helmetta does hereby urge the swift passage and signing of A-3603;

BE IT FURTHER RESOLVED, that consideration also be given to providing a levy cap exception to account for the impact of tax appeals on local operations; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

(A discussion ensued on this and the Mayor explained the reasons why the League of Municipalities wanted support)

	Motion	Second	Aye	Nay	Abstain	Absent
Peckham			X			
Asciolla		X	X			
Janeczek			X			
Karczewski					X	
Perez				X		
Smith	X		X			

**RESOLUTION 2011 – 58**

**ATTENDANCE AT MEETING AND BOROUGH SPONSORED EVENTS**

WHEREAS, in order to serve our residents to the best of our ability it is necessary that we attend meetings and Borough sponsored events; and

WHEREAS, it is understandable that there are times that make it impossible to be present at all meetings and funcions;

NOW THEREFORE BE IT RESOLVED that all Council members agree to be present for at least 85% of the meetings and Borough sponsored events :

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**MEETING OF MAYOR AND COUNCIL  
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Meetings :	January 10, 26	July 11, 27
	February 7, 23	August 8, 24
	March 7, 23	September 12, 28
	April 11, 27	October 10, 26
	May 9, 25	November 7, 21
	June 13, 22	December 12, 28

**Events:**

- March 12 – 55+ Luncheon
- April 9 - Spring Fling
- June 4 – Fishing Derby
- August 2 – National Night Out
- September 24 – Helmetta Day
- October 29 – Halloween Bash
- December 2 – 55+ Holiday Dinner
- December 10 – Children's Holiday Party

(A very lengthy discussion took place on this resolution and the importance and reasons why meetings and Borough sponsored events should be attended. It is not presented as a disciplinary tool but primarily for everyone to be more resolute in their attendance at meetings and functions.)

	Motion	Second	Aye	Nay	Abstain	Absent
Peckham	X		X			
Asciolla			X			
Janeczek			X			
Karczewski				X		
Perez				X		
Smith		X	X			

\* Minutes of December 29, 2010  
MOTION – Clmn. Janeczek SECOND – Clmn. Peckham  
ROLL CALL: 4 – 0 – 2

\* Minutes of January 1, 2011  
MOTION – Clmn. Ascioffa      SECOND – Clmn. Peckham  
ROLL CALL: 6 - 0

\* **REPORT** of Public Works Director – Darren Doran spoke on the incentives of the energy grant. An inspection was done of the first, second and third floors. Clmn. Perez stated that it was good as the investment repayment would only be a year and

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**MEETING OF MAYOR AND COUNCIL  
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a half. Possible reimbursement from FEMA may be made for the storm of December 26. As in the past, residents parking their cars in the street as well as throwing snow in the street are a hindrance to snow plowing. It was the consensus that since it has been in several newsletters that cars should not be left on the street nor should snow be thrown in the street that warning and/or summonses should be issued.

Clmn. Smith stated that he has the same situation as the two homes on High Street and asked that the road leading to his house and his brother-in-laws (not their driveways) be plowed for safety reasons. After discussion, it was agreed that the roadway to the homes on Lake Avenue and High Street would be plowed.

**\* ORDINANCE – FIRST READING**

2011 – 1 An Ordinance amending Chapter 13 of the Code of the Borough of Helmetta entitled "Police Department" and eliminating the position of Police Chief in the Borough of Helmetta.

MOTION - Clmn. Ascioia

SECOND – Clmn. Peckham

ROLL CALL: 6 – 0

**ORDINANCE NO. 2011- 1**

**AN ORDINANCE AMENDING CHAPTER 13 OF THE  
CODE OF THE BOROUGH OF HELMETTA,  
ENTITLED "POLICE DEPARTMENT" AND  
ELIMINATING THE POSITION OF POLICE CHIEF  
IN THE BOROUGH OF HELMETTA**

**WHEREAS**, the Borough of Helmetta (the "Borough") has previously adopted Chapter 13 of the Code of the Borough of Helmetta establishing and governing the Police Department within the Borough; and

**WHEREAS**, the Borough's Police Chief has retired and currently there is no Police Chief in the Police Department; and

**WHEREAS**, the Borough desires to repeal Section 13-3 (Chief of Police) of Chapter 13 (Police Department) which establishes the position and salary of the Chief of Police, and to restructure the Police Department, and amend this entire section of the Borough Code based on the elimination of the position of Police Chief; and

**WHEREAS**, the goal of said ordinance repeal and amendment is to allow the Police Department to run in a more efficient and orderly manner and to serve the residents and guests of the Borough and to protect the peaceful enjoyment of all citizens and guests in the Borough.

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**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the Borough of Helmetta that Chapter 13 of the Borough Code of the Borough of Helmetta entitled, "Police Department" is hereby amended as follows (additions underscored, deletions struck-through):

1. Chapter 13, Section 1 (Establishment) shall be rescinded and replaced with the following:

**13-1 Establishment**

There is hereby recreated in and for the Borough of Helmetta a Police Department which shall consist of a Police Director, a Sergeant, and such members and officers as shall be deemed necessary by the governing body which shall, from time to time, determine the number of persons, including temporary officers and members in an emergency, to be appointed to these positions, together with their compensation

2. Chapter 13, Section 3 (Chief of Police) shall be deleted in its entirety.
3. Chapter 13, Section 5 (Sergeants) shall be rescinded and replaced with the following:

**13-5 Sergeants**

There shall be within the Police Department of the Borough of Helmetta, a maximum of one (1) Sergeant to properly maintain the efficiency of the Police Department. The Sergeant shall supervise all personnel as assigned by the Police Director and shall promote, enforce and abide by the rules and regulations of the Police Department of the Borough of Helmetta.

4. Chapter 13, Section 6 (Appointments; Promotions), Subsections (G) and (H) shall be rescinded and replaced with the following:

- G. All appointments to the Police Department shall serve a probationary period of one (1) year after graduating the academy. At the conclusion of the one (1) year period, the Police Director shall make recommendations to the governing body with respect to the performance of said police officer. At that time, the governing body may appoint said police officer to a permanent position or, remove said

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individual from the Helmetta Police Department without recourse.

H. All individuals promoted within the Helmetta Police Department shall serve a probationary period of ninety (90) days in their new capacity. The Police Director shall make recommendation to the governing body with respect to the performance of said individual prior to the expiration of ninety (90) days in the new position at which time the governing body shall make said position permanent or return the individual to their previous position without recourse.

5. Chapter 13, Section 7 (Disciplinary Action) shall be rescinded and replaced with the following:

**13-6 Disciplinary Action**

No member or officer of the Police Department shall be suspended, removed, fined or reduced in rank for any cause other than for incapacity, misconduct or disobedience as provided in the New Jersey Statutes and the Police Department rules and regulations.

The Police Director shall report to the Chairperson of the appropriate authority all charges preferred against any member of the police department, and the Police Director may for adequate cause suspend any member of the police department pending resolution of any charges.

6. Chapter 13, Section 8 (Compensation) shall be rescinded and replaced with the following:

**13-8 Compensation**

A. Sergeant and Patrol Officers shall be paid pursuant to a collective bargaining agreement.

7. Chapter 13, Section 9 (Special Law Enforcement Officer) shall be rescinded and replaced with the following:

**13-9 Special Law Enforcement Officer**

Pursuant to New Jersey State Statutes there shall be created within the borough under the direct supervision of the Sergeant a body of special



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law enforcement officers. Said officers shall be Class I and Class II Officers.

8. Chapter 13, Section 14 (Carrying of Weapons) shall be rescinded and replaced with the following:

**13-14 Carrying of Weapons**

No Special Law Enforcement Officer shall carry a revolver or other similar weapon when off duty. Class I Special Law Enforcement Officers shall not be allowed to carry weapons or self-defense equipment while on duty except as expressly authorized by the Sergeant and the revised Statutes of the State of New Jersey. Class II Special Law Enforcement Officers shall be allowed to carry weapons while on duty if expressly authorized by the Sergeant in accordance with the revised Statutes of the State of New Jersey, including but not limited to the carrying of firearms.

9. Chapter 13, Section 15 (Supervision; Applicable Regulations) shall be rescinded and replaced with the following:

**13-15 Supervision; Applicable Regulations**

Each appointee shall be under the direct supervision of the Police Director and shall abide by the rules and regulations promulgated by the Police Director in all areas and aspects of policy, good order, discipline, and daily operation of the department. Further, each appointee shall abide by the rules and regulations applicable to the conduct and decorum of the regular police officers of the Borough of Helmetta.

10. Chapter 13, Section 18 (Police Director) shall be rescinded and replaced with the following:

**13-18 Police Director**

- a. The Police Director, who shall be appointed and supervised by the Public Safety Committee, shall serve as the executive of the Police Department.

- b. The Police Director shall receive an annual salary/stipend as established by the Council in accordance with applicable laws.

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c. The Police Director shall be responsible for the police department's efficiency and day to day operations and shall carry out the powers and duties established under N.J.S.A. 40A:14-118 and in accordance with applicable case law and the Attorney General guidelines and directives.

d. The Police Director shall be the person to whom the Sergeant shall directly report to.

e. The Police Director shall determine policy and direction for the police department.

f. The Police Director shall provide monthly reports to the Public Safety Committee concerning the state of the Police Department.

g. The Police Director shall issue special emergency directives, as necessary, to protect the health, safety and welfare of the Borough in an emergency.

h. The Police Director shall receive daily reports or other periodic reports, as designated by the Police Director from the Sergeant.

i. The Police Director shall designate the Sergeant responsible for performing the Police Director duties when the Police Director is absent.

**BE IT FURTHER ORDAINED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER ORDAINED**, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

**\* NEW BUSINESS**

CDBG Hearing – A public hearing must be held and we will see if we can do the strip

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lining on the sewers on John and Washington.

The Mayor requested that a letter be sent to Ralph Albanir requesting additional funding of \$250,00.00 for the pavilion project.

Discussion was held on the number of our Municipal Building. When the offices were relocated; they did not change the number of the address. We are 60 located between 50 and 52. A request will be made to the Post Office that our address be changed from 60 Main Street to 51 Main Street.

Borough Engineer Terry Vogt will look into obtaining a sustainable grant for the Borough.

**\* ADJOURNMENT**

There being no further business, a MOTION was made by Clnn. Ascioffa and SECONDED by Clnn. Smith to adjourn the meeting at 8:03 p.m. All were in favor.

Sandra Bohinski  
Municipal Clerk