

**SPECIAL MEETING OF MAYOR AND COUNCIL
DECEMBER 6, 2011 - 7:00 P.M.**

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

The meeting was called to order at 7:00 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:**

PECKHAM
ASCIOLLA - absent
JANECZEK
KARCZEWSKI - absent
PEREZ
SMITH - absent

*** PUBLIC PORTION**

No one from the Public wished to speak.

*** RESOLUTION**

228— Authorization for Mayor and Clerk to sign Taser Agreement with the
Middlesex County Prosecutor's Office
MOTION Clnn. Peckham SECOND – Clnn. Perez
ROLL CALL: 3- 0

*** ORDINANCES (Second Reading)**

20 – An ordinance of the Borough of Helmetta authorizing the appropriation of \$23,498.00 from the 2011 Community Development Block Grant Fund for park improvements to Residence Park

MOTION – Clnn Peckham SECOND – Clnn. Perez
ROLL CALL: 3 - 0

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 – Clnn. Peckham SECOND – Clnn Perez
ROLL CALL: 3 - 0

*** ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:05 p.m.

Sandra Bohinski, RMC
Municipal Clerk

RESOLUTION
2011 – 228

**AUTHORIZATION FOR MAYOR AND CLERK
TO SIGN TASER AGREEMENT WITH
THE MIDDLESEX COUNTY PROSECUTOR'S OFFICE**

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized by the Governing Body to sign the Taser Agreement with the Middlesex County Prosecutor's Office. This will be used to upgrade and support the capabilities of our Police Department.

THIS AGREEMENT, dated the _____ day of _____, 2011
between the **COUNTY OF MIDDLESEX ("COUNTY")** and the **BOROUGH OF
HELMETTA ("MUNICIPALITY")**

WITNESSETH:

WHEREAS, the Middlesex County Prosecutor maintains a Prosecutor's County Law Enforcement Trust Account (PCLETA) to be used, inter alia, to support and upgrade local law enforcement agency capabilities; and

WHEREAS, the Attorney General of the State of New Jersey has authorized the use of conducted energy devices ("devices") under certain guidelines, as set forth in her letter dated October 14, 2011, which is attached hereto and made part hereof; and

WHEREAS, the COUNTY wishes to provide the MUNICIPALITY with a Taser International Model X2 device and the training in use thereof, utilizing PCLETA funds;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the COUNTY and the MUNICIPALITY do mutually agree as follows:

1. The COUNTY shall purchase Taser International Model X2 Taser through use of PCLETA funds.
2. The County Prosecutor, in his sole discretion, shall determine the model of the device to be provided to the MUNICIPALITY.
3. The COUNTY shall, at its sole cost and expense, be responsible for the initial purchase of the following:
 - a. The X2 Taser;
 - b. The Taser Cam;
 - c. Two Blackhawk Holsters

- d. A 4 year warranty for the Taser Cam; and
- e. A 4 year warranty for the X2 Taser.
- 4. The MUNICIPALITY shall, at its sole cost and expense, be responsible for the following:
 - a. Purchase of additional equipment including replacement darts and cartridges required for both training and use of the device; and
 - b. Repair and maintenance of the device if such repair/maintenance exceeds the terms of the warranty and/or warranty period; and
 - c. Designate police officer(s) to attend the required training to be provided and/or coordinated by the County Prosecutor.
- 5. The MUNICIPALITY agrees that the device shall be used in accordance with the guidelines set forth in the October 14, 2011 letter from the Attorney General of the State of New Jersey, attached hereto and made part hereof.
- 6. The MUNICIPALITY shall save, protect, indemnify and hold harmless the County Prosecutor, the COUNTY and/or its elected officials, officers and employees from any and all damages or claims for damages to persons or property which may result from the use of the device provided, pursuant to this Agreement.
- 7. This Agreement represents the entire understanding of the parties. It shall not be amended, except through written amendment approved by the respective governing bodies.

20 – An ordinance of the Borough of Helmetta authorizing the appropriation of \$23,498.00 from the 2011 Community Development Block Grant Fund for park improvements to Residence Park

WHEREAS, the Council of the Borough of Helmetta ("Council") desires to make park improvements to Residence Park in the Borough of Helmetta ("Borough"); and

WHEREAS, the Council has demonstrated that there currently exists a need to provide funding for the park improvements; and

WHEREAS, the Borough was awarded funds under the Community Development Block Grant ("CDBG") for 2011, which the Borough has determined to use for improvements at Residence Park (the "Improvements"); and

WHEREAS, no other funds will be used for the Improvements to Residence Park.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Helmetta, in the County of Middlesex and State of New Jersey that:

Section 1. The Improvements described below are hereby authorized as a general improvement to be made by the Borough of Helmetta, New Jersey.

Section 2. There is hereby appropriated for such Improvements, the sum of Twenty-three Thousand, Four-hundred and Ninety-eight Dollars (\$23,498.00) as follows:

- a. Twenty-three Thousand, Four-hundred and Ninety-eight Dollars (\$23,498.00) from the 2011 Community Development Block Grant.

Section 3. The Improvements for which this appropriation is authorized is for park improvements to Residence Park in the Borough of Helmetta.

Section 4. The appropriation authorized above shall be funded completely from revenues received from either State and Municipal governments under grant funds already received or funds set aside for such purpose.

Section 5. The Governing Body of the Borough of Helmetta hereby certifies and assures that all of the required assurances which are necessary for such State and Municipal funding for the Improvements have been or shall be met.

Section 6. The funding for the Improvements will be included in the capital budget in the final adopted budget for 2011.

Section 7. This Ordinance shall take effect following its advertisement, public hearing and adoption in accordance with the requirements of law.

**MEETING OF MAYOR AND COUNCIL
DECEMBER 28, 2011 - 7:00 P.M.**

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

* CALLING OF THE ROLL:

Clnn. Peckham
Asciolla
Janeczek
Karczewski
Perez
Smith

* PUBLIC PORTION

* CONSENT AGENDA –

Report of Clerk, Tax Collector, Utility Revenue Collector

RESOLUTIONS:

- 229 – Resolution Authorizing the Tax Collector to refund tax overpayments
- 230 – Accepting the 2010 Municipal Audit
- 231 – Resolution of the Borough of Helmetta authorizing the conveyance of a
Borough Fire Truck no longer needed for municipal purposes to the Helmetta
Fire Department for nominal consideration
- 232 – Resolution opposing Senate Bill S-3104 which proposes to threaten tenured
Municipal Employees when two municipalities enter into a shared service
agreement for sharing of such Personnel
- 233 – Resolution authorizing appointment of American Fidelity Assurance Company
as Section 125 Plan Provider
- 234 – Resolution Authorizing Mayor to execute lease/purchase agreement for Police
Vehicle under State contract
- 235 – Resolution authorizing payment in the amount of \$13,500 to Realty Appraisal
Company
- 236 – Appointment of Sandy A. Stein as a cleaner for the Helmetta Animal Shelter
- 237 – Payment to Richard Cielez as per Personnel Policies Handbook
- 238 – Payment to Michal Cielez as per Personnel Policies Handbook
- 239 – Resolution of the Borough of Helmetta authorizing the use of Community
Development Block Grant for handicap accessibility to the animal shelter
- 240 – Adopting Changes to and existing deferred compensation plan pursuant to the
final Internal Revenue Code Section 415 Regulations, Pension Protection Act of
June, 2006, the Heroes Earnings Assistance and Relief Tax Act of 2008 and the
Worker, Retiree, and Employer Recovery Act of 2008 – Valic
- 241 – Payment of Bills
- 242 – Employment of Charles B. Metz, Harold Messler, Joey Reid at the Helmetta
Regional Animal Shelter
- 243 – Stipend in gratitude of the many hours given to the Animal Shelter – Leona Davis
- 244 – Adopting Changes to and existing deferred compensation plan pursuant to the
final Internal Revenue Code Section 415 Regulations, Pension Protection Act of
June, 2006, the Heroes Earnings Assistance and Relief Tax Act of 2008 and the
Worker, Retiree, and Employer Recovery Act of 2008 – Nationwide (the same as
Resolution #240 except this is for Nationwide)

*Minutes of June 22 (absent Asciolla, Smith)
Minutes of July 11, August 24 (all present)

Minutes of July 27 (absent Asciolla, Janeczek, Karczewski)
Minutes of August 8 (absent Janeczek)
Minutes of September 12 (absent Perez, Smith)
Minutes of September 28 (absent Peckham, Smith)
Minutes of October 20 (absent Smith)
Minutes of November 23 (absent Asciolla)
Minutes of December 6 (absent Asciolla, Karczewski, Smith)

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

***OLD BUSINESS**

***NEW BUSINESS**

Website

Letter from Bill Kloos

Electronic Banking Alert

Congressional Districts

Reorganization Meeting

Meeting Dates for 2012

***CLOSED SESSION**

***ADJOURNMENT**

**MEETING OF MAYOR AND COUNCIL
DECEMBER 28, 2011 - 7:00 P.M.**

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

The meeting was called to order by Mayor Martin at 7:07 p.m. 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
Asciolla
Janeczek
Karczewski - absent
Perez
Smith - absent

*** PUBLIC PORTION**

There was no one from the Public who wished to speak

*** CONSENT AGENDA – # 245**

Report of Clerk, Tax Collector, Utility Revenue Collector
RESOLUTIONS:

- 229 – Resolution Authorizing the Tax Collector to refund tax overpayments
- 230 – Accepting the 2010 Municipal Audit
- 231 – Resolution of the Borough of Helmetta authorizing the conveyance of a Borough Fire Truck no longer needed for municipal purposes to the Helmetta Fire Department for nominal consideration
- 232 – Resolution opposing Senate Bill S-3104 which proposes to threaten tenured Municipal Employees when two municipalities enter into a shared service agreement for sharing of such Personnel
- 233 – Resolution authorizing appointment of American Fidelity Assurance Company as Section 125 Plan Provider
- 234 – Resolution Authorizing Mayor to execute lease/purchase agreement for Police Vehicle under State contract
- 235 – Resolution authorizing payment in the amount of \$13,500 to Realty Appraisal Company
- 236 – Appointment of Sandy A. Stein as a cleaner for the Helmetta Animal Shelter
- 237 – Payment to Richard Cielesz as per Personnel Policies Handbook
- 238 – Payment to Michal Cielesz as per Personnel Policies Handbook
- 239 – Resolution of the Borough of Helmetta authorizing the use of Community Development Block Grant for handicap accessibility to the animal shelter
- 240 – Adopting Changes to and existing deferred compensation plan pursuant to the final Internal Revenue Code Section 415 Regulations, Pension Protection Act of June, 2006, the Heroes Earnings Assistance and Relief Tax Act of 2008 and the Worker, Retiree, and Employer Recovery Act of 2008 – Valic
- 241 – Payment of Bills
- 242 – ~~Employment of Charles B. Metz, Harold Messler, Joey Reid at the Helmetta Regional Animal Shelter~~
- 243 – ~~Stipend in gratitude of the many hours given to the Animal Shelter – Leona Davis~~
- 244 – Adopting Changes to and existing deferred compensation plan pursuant to the

final Internal Revenue Code Section 415 Regulations, Pension Protection Act of June, 2006, the Heroes Earnings Assistance and Relief Tax Act of 2008 and the Worker, Retiree, and Employer Recovery Act of 2008 – Nationwide

MOTION – Clmn. Asciolla SECOND – Clmn. Janeczek

ROLL CALL: 4 – 0

242 – Employment of Charles B. Metz, Harold Messler, Joey Reid at the Helmetta Regional Animal Shelter

A very lengthy discussion ensued on the amount they will be paid to work in the shelter since they belong to the Union. Darren Doran will contact the Union to get clarification. The resolution will be adopted subject to the approval of the Union giving them permission to work at a lesser rate.

MOTION – Clmn. Asciolla SECOND – Clmn. Janeczek

ROLL CALL: 4 - 0

243 – Stipend in gratitude of the many hours given to the Animal Shelter – Leona Davis
Discussion followed and our Auditor said a stipend can be given if under \$600.00.

MOTION – Clmn. Asciolla SECOND – Clmn. Peckham

ROLL CALL: 4- 0

*** APPROVAL OF MINUTES**

Minutes of June 22 - MOTION – Clmn. Peckham SECOND – Clmn. Perez

All in Favor

Minutes of July 11, August 24 – MOTION – Clmn. Peckham SECOND – Clmn. Perez

All in Favor

Minutes of July 27 - MOTION – Clmn. Peckham SECOND – Clmn. Perez

All in Favor

Minutes of August 8 - MOTION – Clmn. Peckham SECOND – Clmn. Asciolla

All in Favor

Minutes of September 12 - MOTION – Clmn. Peckham SECOND – Clmn. Asciolla

All in Favor

Minutes of September 28 - MOTION – Clmn. Asciolla SECOND – Clmn. Janeczek

All in Favor

Minutes of October 20 - MOTION – Clmn. Peckham SECOND – Clmn. Perez

All in Favor

Minutes of November 23 - MOTION – Clmn. Peckham SECOND – Clmn. Janeczek

All in Favor

Minutes of December 6 - MOTION – Clmn. Peckham SECOND – Clmn. Janeczek

All in Favor

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

Finance Chairman Clmn. Perez talked about the allocation of payroll.

Public Works Director Darren Doran said that Cranbury for Animal Shelter/Impoundment offered \$3600.00 but he thinks we should tell them \$4000.00.

We are in compliance with DEP. A cable tray flew off of the water tower.

Police Director Andrew Ely discussed third party billing

*** CLOSED SESSION - Personnel**

MOTION – Clmn. Janeczek SECOND – Clmn. Peckham

ROLL CALL: 4 – 0

A MOTION was made by Clmn. Asciolla and SECONDED by Clmn. Peckham to go into Open Session. All were in favor.

- **RESOLUTION # 2011 – 247 APPOINTMENT OF GEORGE KOSANOVICH
AS A REGULAR POLICE OFFICER**

MOTION – Clmn. Peckham SECOND – Clmn. Perez

ROLL CALL: 4 - 0

***NEW BUSINESS**

Reorganization Meeting will be held on Friday, January 6, 2012.
The Meeting Dates for 2012 were discussed.

***ADJOURNMENT**

There being no further business a MOTION was made by Clmn. Peckham and SECONDED by Clmn. Asciolla to adjourn the meeting. All were in favor.

Sandra Bohinski, RMC
Municipal Clerk

REPORT OF THE MUNICIPAL CLERK

Sandra Bohinski

	NOVEMBER, 2011	Copies	Marr Lic	Plng Bd	Towing	Licenses	Lndlr Reg	Recycling
Papaleo	\$28.00		\$28.00					
Tarr	\$100.00						\$100.00	
Marr. Lic	\$28.00		\$28.00					
TOTAL	\$156.00		\$56.00				\$100.00	

Dog & Cat Licenses \$11.00

Borough of Helmetta

Denise Jawidzik

Denise Jawidzik

Tax Collector

REPORT OF THE TAX COLLECTOR

Month of: November, 2011

Dated: December 5, 2011

Taxes - 2012	\$ 2,424.09
Taxes - 2011	\$ 865,968.29
Taxes - 2010	\$15,787.50

ADJUSTMENTS

Interest	\$ 6,239.82
Costs	
Tax search	\$ 0.50
Return Check fee	
Search Printouts	
Duplicate Bill Fee	\$ 5.00
Misc.	

Closing Balances

		Debit	Credit	Net
TOTAL	\$ 890,425.20			
		Tax		
		2011	\$ 144,779.65	\$ (12,770.51)
		Tax	\$	
		2010	14,657.17	\$14,657.17

Tax Collectors Trust

Prior Balance	\$18,700.00
Receipts	
Disbursements	
Balance	\$18,700.00

Report of the Tax Sale

The Tax Sale for non-payment of 2008 municipal charges was held on December 2, 2011 at 9:00am. All liens were sold to third party lien holders. The proceeds of sale are as follows:

Taxes	10,373.00
Interest	2,078.12
Cost	589.12

Total \$13,040.24

Water	5,182.31
Interest	461.39
Cost	967.79

Total \$6,611.49

Sewer	4,857.75
Interest	350.65
Cost	65.00

Total \$5,263.40

Premium \$3,800.00

Grand Total \$28,715.13

Respectfully submitted,

Denise Jawidzik

Denise Jawidzik
Tax Collector

Water/Sewer Receipts Report

October 2011

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2007 Principal	\$ -	\$ -	\$ -
2008 Principal	-	-	-
2009 Principal	-	-	-
2010 Principal	2,446.07	2,307.65	4,753.72
2011 Principal	<u>42,152.67</u>	<u>40,620.79</u>	<u>82,773.46</u>
Subtotal	44,598.74	42,928.44	87,527.18
Interest	<u>408.50</u>	<u>375.02</u>	<u>783.52</u>
Subtotal	45,007.24	43,303.46	88,310.70
Final Water Reads	-	-	-
Returned Checks	-	-	-
Payment Reversal	-	-	-
NSF Bank Fees	-	-	-
Duplicate Bill Fee - W&S	-	-	-
Connection Fee	-	-	-
Water Meter Testing	-	-	-
Transfer in from Tax	120.00	-	120.00
Transfer out to Tax	<u>-</u>	<u>-</u>	<u>-</u>
Total Deposits	<u>\$45,127.24</u>	<u>\$ 43,303.46</u>	<u>\$ 88,430.70</u>

Carol Feig
Utility Revenue Collector

RESOLUTION
2011 - 229
RESOLUTION AUTHORIZING THE TAX COLLECTOR
TO REFUND TAX OVERPAYMENTS

WHEREAS, the Borough Tax Collector has received tax overpayments, and

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 the following:

10-8.01

Banka, Stanley & Laurie

43 Railroad Ave

\$217.24

11-6

Saleh, Mohammad & Smith Eva

119 Main St

\$237.63

13-6

Combs, Raymond Jr & Shirley

7 Locust Dr

10.00

13-39.17

Wheary, Benjamin & Francine

15 Sutton Pl

\$355.67

13.01-9

Birnbaum, Adam

9 York Dr

\$2,261.72

18-6.07

Turturro, Dominick & Jo Ann

10 Lakeview Dr

\$310.20

18-8
Longo, Douglas & Gina
17 John St
\$162.46

20-15.01
Shahinian, Margos & Granitski, Bonnie
46 Lake Ave
\$110.86

20-55
Gavino, David & Eileen
10 Appleby Dr
426.36

20-86
Dyke, Robert & Phyllis
9 Holly Manor Ct.
412.77

21 7.1 C0107
Frederick, Ellen
107 Raintree Ct
158.62

21 7.1 C0210
Hernandez, Diane
210 Raintree Ct
181.89

21 7.1 C0301
Johnson, Stephan
301 Raintree Ct
121.32

21 7.1 C0402
Keenan, Karen
402 Chester Ct
174.67

21 7.1 C0407
Schantzenbach, Rebecca
407 Chester Ct
124.84

21 7.1 C0504
Beres, Mary
504 Chester Ct
158.62

21 7.1 C0508
Bell, Christa
508 Chester Ct
105.80

21 7.1 C1004
Jones, Harry & Kathleen
1004 Meadow Ct
158.62

21 7.1 C1011
Aronne, Gregory & Nicole
1011 Meadow Ct
92.83

21 7.1 C1101
Szabo, Barbara
1101 Stoneridge Cir
181.89

21 7.1 C1102
Risman, David & Clementi, Angela
1102 Stoneridge Cir
181.88

21 7.1 C1104
Fischer, David
1104 Stoneridge Cir
121.32

21 7.1 C1209
Sulkowski, Colleen
1209 Stoneridge Cir
121.32

21 7.1 C1211
Efremova, Alla & Yefremova, Olha
1211 Stoneridge Cir
181.88

21 7.1 C1503
Shinbrot, Elaine
1503 Stoneridge Cir
231.89

21 7.1 C1711
Eglow, Christopher & Owsik, Melissa
1711 Tanglewood Ct
121.32

21 7.1 C2107
Mayhew, Millicent
2107 Candlelight Ct
181.89

21 7.1 C2110
Caldwell, Freddie
2110 Candlelight Ct
181.89

21 7.1 C2205
Pfeiffer, Theresa Gibson
2205 Candlelight Ct
121.32

21 7.1 C2411
Smack, Joyce
2411 Candlelight Ct
208.62

21 7.1 C2502
Nowatkowski, John & Natalie
2502 Candlelight Ct
1083.63

21 7.1 C2702
Ali, Alee & Nisreen
2702 Ridgefield Ct
70.86

21 7.1 C2703
Ilaria, Joseph & Anne
2703 Ridgefield Ct
121.32

21 7.1 C2902
Skifski, William
2902 Ridgefield Ct
187.17

21-29
Cantatore, Maria
12 Baker Dr
134.48

22-3
Scheicher, Eugene & Diane
15 Baker Dr
159.94

23-8.01
Zyhajlo, Henryk & Alicja
25 Avenue A
44.77

27-4
Huebler, Ann
14 Avenue A
210.79

RESOLUTION
#2011 – 230

ACCEPTING THE 2010 MUNICIPAL 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 2010 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 Governing Body 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.

STATE OF NEW JERSEY
COUNTY OF MIDDLESEX

We, members of the governing body of the Borough of Helmetta, in the County of Middlesex, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Governing Body of the Borough of Helmetta, in the County of Middlesex;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2010;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION
PASSED AT THE MEETING HELD ON DECEMBER 28, 2011.

Municipal Clerk

**RESOLUTION
#2011 - 231**

**RESOLUTION OF THE BOROUGH OF HELMETTA
AUTHORIZING THE CONVEYANCE OF A
BOROUGH FIRE TRUCK NO LONGER NEEDED
FOR MUNICIPAL PURPOSES TO THE HELMETTA
FIRE DEPARTMENT FOR NOMINAL
CONSIDERATION**

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., authorizes a municipality to sell any personal property no longer needed for municipal purposes, by private sale for consideration which may be nominal, to a duly incorporated volunteer fire company within the county; and

WHEREAS, the Borough of Helmetta (the "Borough") currently owns a 1982 American LaFrance aerial fire truck (the "Aerial Fire Truck") which is no longer operational and therefore no longer needed for municipal purposes; and

WHEREAS, the Helmetta Fire Department has offered to arrange for sale of the Aerial Fire Truck and the purchase of a newer model with the proceeds of the sale; and

WHEREAS, accordingly, the Borough desires to convey title to the Aerial Fire Truck to the Helmetta Fire Department for nominal consideration so that the Helmetta Fire Department may effectuate the sale of the Aerial Fire Truck; and

WHEREAS, in accordance with N.J.S.A. 40A:12-21.1, the Helmetta Fire Department shall only use the proceeds of the sale of the Aerial Fire Truck for purposes of the Fire Department.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta, County of Middlesex, State of New Jersey that the Mayor is hereby authorized to execute any documents necessary to effectuate the private sale of the Borough's Aerial Fire Truck to the Helmetta Fire Department for nominal consideration, in a form approved by the Borough Attorney.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Gregory Bennett, Chief, Helmetta Fire Department
- b. David A. Clark, Borough Attorney
- c. Sandra Bohinski, Helmetta Borough Clerk

**RESOLUTION
#2011 -232**

**RESOLUTION OPPOSING SENATE BILL S-
3104 WHICH PROPOSES TO THREATEN
TENURED MUNICIPAL EMPLOYEES WHEN
TWO MUNICIPALITIES ENTER INTO A
SHARED SERVICES AGREEMENT FOR
SHARING OF SUCH PERSONNEL**

WHEREAS, Senator Donald Norcross proposed legislation, Senate Bill S-3104 ("The Common Sense Shared Services Act"), which was introduced into the Senate on

November 21, 2011, and then referred to the Senate Community and Urban Affairs Committee, which bill concerns shared service agreements and joint contracts for certain local personnel under the Uniform Shared Services and Consolidation Act; and

WHEREAS, S-3104 would require that notwithstanding the statutory requirements that every municipality appoint a municipal clerk, chief financial officer, assessor, tax collector, public works manager, and municipal engineer, those requirements may be fulfilled by the sharing of those personnel with another municipality or municipalities under a shared service agreement or joint contract for a joint meeting entered into pursuant to the provisions of the Uniform Shared Services and Consolidation Act; and

WHEREAS, additionally, S-3104 would revise current law to reflect that notwithstanding the tenure in office that can be earned by a municipal clerk, chief financial officer, assessor, tax collector, public works manager, and municipal treasurer, these personnel may be removed from office to effectuate a shared service agreement or a joint contract for a joint meeting for the services of their positions; and

WHEREAS, pursuant to S-3104, in order to remove a tenured local official, a municipality simply must provide the tenured local official with a written copy of the shared service agreement, together with a letter stating that the tenured official's position in the municipality is being eliminated as the result of the shared service agreement; and

WHEREAS, the Borough Council of the Borough of Helmetta strongly opposes Senate Bill S-3104 in its current form and wishes to make this opposition known to the Borough's representatives in State Congress.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Borough Council strongly opposes the adoption of Senate Bill S-3104; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided by the Borough Clerk to Senator Barbara Buono and Assemblymen Peter J. Barnes, III and Patrick J. Diegnan, Jr.

**RESOLUTION
2011 - 233**

**RESOLUTION AUTHORIZING APPOINTMENT OF AMERICAN
FIDELITY ASSURANCE COMPANY AS SECTION 125 PLAN
PROVIDER**

WHEREAS, P.L. 2011, Chapter 78, effective June 28, 2011 requires local unit employers to create "Cafeteria Plans" for their employees, pursuant to Section 125 of the Internal Revenue Code; and

WHEREAS, the Borough solicited proposals for such services; and

WHEREAS, the Chief Financial Officer has selected American Fidelity Assurance Company as being the plan provider with the most favorable proposal to the taxpayers.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Chief Financial Officer is hereby authorized to enter into an

agreement with American Fidelity Assurance Company to provide plan services pursuant to Section 125 of the Internal Revenue Code.

**RESOLUTION
2011 - 234**

**RESOLUTION AUTHORIZING MAYOR TO EXECUTE LEASE/PURCHASE AGREEMENT
FOR POLICE VEHICLE UNDER STATE CONTRACT**

WHEREAS, the Governing Body of the Borough of Helmetta has determined that the Police Department requires a new Police car to continue its necessary operations; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., a municipality may purchase goods and services without public bidding if such goods and services are purchased through a state contract pursuant to N.J.S.A. 40A:11-12.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that Mayor Nancy Martin is hereby authorized to execute a lease/purchase agreement with Ford Motor Credit on behalf of the Borough of Helmetta to purchase a 2012 Dodge Charger with Charles Winner, Inc., State Contract A79009.

**RESOLUTION
2011 - 235**

**RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF
\$13,500.00 TO REALTY APPRAISAL COMPANY**

WHEREAS, the Borough awarded a contract to Realty Appraisal Company for a reassessment of the Borough in the amount of \$35,000; and

WHEREAS, Realty Appraisal Company has submitted previous progress billings in the amount of \$13,500.00; and

WHEREAS, Realty Appraisal Company has submitted an additional progress billing in the amount of \$9,000.00; and

WHEREAS, the Tax Assessor has recommended payment in the amount of \$9,000.00 for the second progress payment of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Chief Financial Officer is hereby authorized to pay Realty Appraisal Company the amount of \$9,000.00.

**RESOLUTION
2011- 236**

**APPOINTMENT OF SANDY A. STEIN AS A CLEANER FOR THE
HELMETTA ANIMAL SHELTER**

WHEREAS, the Helmetta Animal Shelter requires additional personnel to handle cleaning; and

WHEREAS, Sandy A. Stein is a qualified applicant;

NOW, THEREFORE, BE IT RESOLVED that Sandy A. Stein is hereby appointed to work in the Helmetta Animal Shelter for a rate of \$8.00 per hour, effective November 7, 2011.

**RESOLUTION
#2011 - 237**

PAYMENT TO RICHARD CIELESZ AS PERSONNEL POLICIES HANDBOOK

WHEREAS, as per Section 3 of the Personnel Policies Handbook Richard Cielesz is electing to be paid for 33 vacation hours earned in 2011 and unused in 2011;

NOW THEREFORE BE IT RESOLVED, by the Chief Financial Officer is hereby authorized to pay Richard Cielesz the following amount:

33 hours
X \$18.00 rate of pay per hour
\$594.00 total

**RESOLUTION
#2011 - 238**

PAYMENT TO MICHAL CIELESZ AS PERSONNEL POLICIES HANDBOOK

WHEREAS, as per Section 3 of the Personnel Policies Handbook Michal Cielesz is electing to be paid for 33 vacation hours earned in 2011 and unused in 2011;

NOW THEREFORE BE IT RESOLVED, by the Chief Financial Officer is hereby authorized to pay Michal Cielesz the following amount:

33 hours
X \$18.00 rate of pay per hour
\$594.00 total

**RESOLUTION
2011 - 239**

**RESOLUTION OF THE BOROUGH OF HELMETTA AUTHORIZING THE USE
OF COMMUNITY DEVELOPMENT BLOCK GRANT FOR HANDICAP
ACCESSIBILITY TO THE ANIMAL SHELTER**

WHEREAS, the Community Development Block Grant (CDBG) program is a flexible program that provides communities with resources to address a wide range of unique community development needs; and

WHEREAS, the Borough of Helmetta (the "Borough") was awarded CDBG grants in both 2009 and 2010; and

WHEREAS, the Borough originally authorized the aforementioned grants to be used for housing rehabilitation and curb cutouts within the Borough; and

WHEREAS, the Borough now wishes to authorize use of the 2009 and 2010 CDBG grants for handicap accessibility for the Helmetta Regional Animal Shelter located at Block 13, Lot 39.2

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Borough is hereby authorized to utilize the 2009 and 2010 Community Development Block Grants to make the Helmetta Regional Animal Shelter handicap accessible;

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. David A. Clark, Borough Attorney
- b. Lori Russo, Borough Chief Financial Officer
- c. Terry Vogt, Borough Engineer/Borough Planner

RESOLUTION
2011 - 240

FOR ADOPTING CHANGES TO

AN EXISTING DEFERRED COMPENSATION PLAN PURSUANT TO THE
FINAL INTERNAL REVENUE CODE SECTION 415 REGULATIONS, PENSION PROTECTION
ACT OF 2006, THE HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008 AND
THE
WORKER, RETIREE AND EMPLOYER RECOVERY ACT OF 2008

WHEREAS, the Borough of Helmetta (hereinafter referred to as the "Employer") by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") effective _____, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer by resolution retained The Variable Annuity Life Insurance Company ("VALIC") as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

WHEREAS, the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006 ("PPA"), the Heroes Earnings Assistance and Relief Tax Act of 2008 (the "HEART Act") and the Worker, Retiree and Employer Recovery Act of 2008 ("WRERA") amended Section 457 of the Code; and

WHEREAS, State and local governmental Section 457(b) plan sponsors must amend their plans to comply with the PPA legislative changes by the last day of the 2011 plan year;

WHEREAS, the Employer desires its Plan to conform with the changes in the Code; and

WHEREAS, the Employer desires to adopt an amended and restated Plan that conforms with the changes in the Code; and

WHEREAS, such amended and restated Plan shall supersede the previously adopted Plan;

NOW, THEREFORE, BE IT RESOLVED that the Employer does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document identifier 81-PD-VALIC-103111 by the Director of the Division of Local Governmental Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

I, Sandra Bohinski, Municipal Clerk of the Employer, in the County of Middlesex and the State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a RESOLUTION adopted by the Employer on the 20th day of December, 2011.

Witness my hand and seal of the Employer on the ___ day of _____ 20 __.

Signature

**RESOLUTION
2011 – 241**

PAYMENT OF BILLS

RESOLUTION

2011-

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HELMETTA, in the County of Middlesex, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor and Chief Financial Officer are hereby authorized and directed to sign checks in the payment of bills and claims which are hereby approved.

The computer print-out of the list of bills will be on file in the Clerk's Office.

CURRENT FUND \$ 197,735.12

Including the following non-budget items:

Grants

140.00

\$ 140.00

WATER OPERATING FUND	64,461.56
SEWER OPERATING FUND	21,354.72
GENERAL CAPITAL FUND	26,294.65
WATER CAPITAL FUND	79.02
DOG TRUST FUND	447.40
TRUST FUND	5,836.38
BUILDERS' ESCROW	2,288.38
	<u>\$ 318,497.23</u>

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

Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at their regular meeting on December 28, 2011.

Sandra Bohinski, Municipal Clerk

RESOLUTION

#2011 - 242

**EMPLOYMENT OF CHARLES B. METZ, IN THE ANIMAL SHELTER
ON AN AS NEEDED BASIS**

WHEREAS, additional help is occasionally needed in the Helmetta Regional Animal Shelter after normal working hours; and

WHEREAS, Charles B. Metz has expressed the willingness to help the Shelter on an as needed basis;

NOW THEREFORE BE IT RESOLVED, that Charles B. Metz be and is hereby authorized to work in the Animal Shelter on an as needed basis for the rate of \$12.00 an hour; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer pay him the following amount for helping on December 14, 16, 18, 20011 in the Shelter:

**18 hours of work
\$12.00 rate of pay per hour
\$216.00 amount to be paid**

RESOLUTION

2011 - 243

**STIPEND IN GRATITUDE OF THE MANY HOURS
GIVEN TO THE ANIMAL SHELTER**

WHEREAS, Leona Davis, has given many hours of her time at the Helmetta Regional Animal Shelter; and

WHEREAS, as a small token of our appreciation we would like to recognize her for her untiring dedication;

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to issue a check in the amount of \$500.00 in grateful appreciation of her willingness to help at the shelter.

RESOLUTION

#2011 - 247

**APPOINTMENT OF GEORGE KOSANOVICH AS A
REGULAR POLICE OFFICER**

WHEREAS, due to the resignation of Michael Anderson there is a vacancy in the Police Department; and

WHEREAS, George Kosanovich was appointed on May 11, 2011 as a Special Police Officer; and

WHEREAS, it is the desire of the Police Department to move him up to Regular Police Officer to fill this vacancy;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Helmetta that the Mayor, with the advice and consent of the Borough Council, hereby appoints George Kosanovich as a Regular Police Officer, effective December 28, 2011 for a probationary period of one (1) year; and

BE IT FURTHER RESOLVED, that his employment is contingent upon his passing his psychological evaluation and his employment shall be in accordance with the Collective Bargaining Agreement between the Borough and its regular officers.

Borough of Helmetta

*51 Main Street,
Helmetta, New Jersey 08828
732 - 521 - 4946 ext. 110*

**Nancy Martin
Mayor**

**Darren Doran
Public Works Director
Water & Sewer Operator**

PUBLIC WORKS REPORT 12 /28/ 11

ANIMAL CONTROL

- A) Proposal was submitted to Cranbury for animal control and impoundment
- B) Animal control was priced at \$5000.00 per year
- C) Cranbury is interested but wanted the price reduced to \$3600.00 per yr
- D) Discussion and comment from Mayor and Council

RESIDENTS PARK

- A) Project cannot be installed at this time due to the impending winter
- B) MidAtlantic Park And playground Concepts is requesting a PO to be sent to hold the project at the current pricing
- C) Park equipment would be installed in the spring

DEP COMPLIANCE INSPECTIONS WATER/ STORMWATER

- A) Dep inspected water and stormwater system on Nov 15
- B) All minor paperwork issues were resolved to the satisfaction of DEP before final report was issued
- C) Only issue of non compliance is lab not submitting THM results on time.

DPW COLLECTIVE BARGING CONTRACT

- A) Union contract is un resolved
- B) Contract has expired in May 2009
- C) Council committee needs to set date address/ negotiate the outstanding contract

PERSONNEL

- A) Closed session

REPORT OF THE MUNICIPAL CLERK
Sandra Bohinski

NOVEMBER, 2011	Copies	Marr Lic	Plng Bd	Towing	Licenses	Lndlr Reg	Recycling
Papaleo \$28.00		\$28.00					
Tarr \$100.00						\$100.00	
Marr. Lic \$28.00		\$28.00					
TOTAL \$156.00		\$56.00				\$100.00	

Dog & Cat Licenses \$11.00

Borough of Helmetta

Denise Jawidzik
Denise Jawidzik
Tax Collector

REPORT OF THE TAX COLLECTOR

Month of: November, 2011

Dated: December 5, 2011

Taxes - 2012	\$ 2,424.09
Taxes - 2011	\$ 865,968.29
Taxes - 2010	\$15,787.50

ADJUSTMENTS

Interest	\$ 6,239.82
Costs	
Tax search	\$ 0.50
Return Check fee	
Search Printouts	
Duplicate Bill Fee	\$ 5.00
Misc.	

Closing Balances

		Debit	Credit	Net
TOTAL	\$ 890,425.20			
		Tax		
		2011	\$ 144,779.65	\$ (12,770.51)
		Tax	\$	
		2010	14,657.17	\$14,657.17

Tax Collectors Trust

Prior Balance	\$18,700.00
Receipts	
Disbursements	
Balance	\$18,700.00

Report of the Tax Sale

The Tax Sale for non-payment of 2008 municipal charges was held on December 2, 2011 at 9:00am. All liens were sold to third party lien holders. The proceeds of sale are as follows:

Taxes	10,373.00
Interest	2,078.12
Cost	589.12

Total \$13,040.24

Water	5,182.31
Interest	461.39
Cost	967.79

Total \$6,611.49

Sewer	4,857.75
Interest	350.65
Cost	65.00

Total \$5,263.40

Premium \$3,800.00

Grand Total \$28,715.13

Respectfully submitted,

Denise Jawidzik

Denise Jawidzik
Tax Collector

Water/Sewer Receipts Report

October 2011

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2007 Principal	\$ -	\$ -	\$ -
2008 Principal	-	-	-
2009 Principal	-	-	-
2010 Principal	2,446.07	2,307.65	4,753.72
2011 Principal	<u>42,152.67</u>	<u>40,620.79</u>	<u>82,773.46</u>
Subtotal	44,598.74	42,928.44	87,527.18
Interest	<u>408.50</u>	<u>375.02</u>	<u>783.52</u>
Subtotal	45,007.24	43,303.46	88,310.70
Final Water Reads	-	-	-
Returned Checks	-	-	-
Payment Reversal	-	-	-
NSF Bank Fees	-	-	-
Duplicate Bill Fee - W&S	-	-	-
Connection Fee	-	-	-
Water Meter Testing	-	-	-
Transfer in from Tax	120.00	-	120.00
Transfer out to Tax	<u>-</u>	<u>-</u>	<u>-</u>
Total Deposits	<u>\$45,127.24</u>	<u>\$ 43,303.46</u>	<u>\$ 88,430.70</u>

Carol Feig
Utility Revenue Collector

Borough of Helmetta

*51 Main Street,
Helmetta, New Jersey 08828
732 - 521 - 4946 ext. 110*

**Nancy Martin
Mayor**

**Darren Doran
Public Works Director
Water & Sewer Operator**

PUBLIC WORKS REPORT 10 20 11

VULNERABILITY AND THREAT ASSESSMENT

- A) Funding has been put in place
- B) Assessment has been started RCAP solutions

CDBG FUNDING HAS BEEN RECEIVED

- A) Contacted Mid Atlantic Parks and Playground Concepts
- B) Will finalize the installation of Park Equipment

OLD FORGE ROAD TREES

- A) Councilman Karczewski and I met with Mario about the tree replacement
- B) Mario is still waiting to here back from the nursery
- C) Mario asked me to call him on Friday 10/21/11

10 ERICKSON AVE

- A) Status on project

ANIMAL CONTROL IMPOUND CONTRACT

- A) Contract fee change discussion
- B) Providing 2 or 4 yr contracts
- C) Built in price increases

PUBLIC WORKS SEPTEMBER OT

- A) 4 hrs 9/10/11 community service

PERSONNEL

- A) Possible closed session

REPORT OF MUNICIPAL CLERK
SANDRA BOHINSKI

OCTOBER, 2011	Copies	Marr Lic	Plng Bd	Towing	Licenses	Lndlr Reg
Cert.						
Copy	\$10.00	\$10.00				
Marr Lic	\$28.00	\$28.00				
Johnson	\$10.00		\$10.00			
K of C	\$10.00				\$10.00	
Kotlyar	\$100.00					\$100.00
Marr Lic	\$28.00	\$28.00				
Marr Lic	\$28.00	\$28.00				
Dybala	\$10.00	\$10.00				
Marr Lic	\$28.00	\$28.00				
Marr Lic	\$28.00	\$28.00				
Fire Dept.	\$260.00				\$260.00	
Total	\$540.00	\$20.00	\$140.00	\$10.00	\$270.00	\$100.00
Dog & Cat Licenses	\$27.00					

Water/Sewer Receipts Report

August 2011

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2007 Principal	\$ -	\$ -	\$ -
2008 Principal	-	-	-
2009 Principal	-	-	-
2010 Principal	273.22	373.00	646.22
2011 Principal	<u>38,939.38</u>	<u>40,105.45</u>	<u>79,044.83</u>
Subtotal	39,212.60	40,478.45	79,691.05
Interest	<u>91.30</u>	<u>115.18</u>	<u>206.48</u>
Subtotal	39,303.90	40,593.63	79,897.53
Final Water Reads	-	-	-
Returned Checks	-	-	-
Payment Reversal	-	-	-
NSF Bank Fees	-	-	-
Duplicate Bill Fee - W&S	-	-	-
Connection Fee	-	-	-

REPORT OF MUNICIPAL CLERK
SANDRA BOHINSKI

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Returned Checks	-	-	-
Payment Reversal	-	-	-
NSF Bank Fees	-	-	-
Duplicate Bill Fee - W&S	-	-	-
Connection Fee	-	-	-