

MEETING OF MAYOR AND COUNCIL
MAY 28, 2014

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

Mayor Martin called the meeting to order at 7:05 p.m. This meeting is called to order in accordance with the Open Public Meetings Law. Notice of this meeting stating the starting time, date and location was advertised in the Home News, posted on the bulletin board in the lobby of the Municipal Building and will be incorporated in the minutes of this meeting. All in attendance Pledged Allegiance to the Flag.

* CALLING OF THE ROLL: All present

Asciolla
Bruno
Estrada
Janeczek
Slavicek
Vidal

* PUBLIC PORTION

Kathleen Williamson, 27 Old Forge Road spoke about the constant flooding on Old Forge Road. She said she is still flooding. She has called everyone, even the Governor. She becomes a reservoir. We can't put up cement walls. The municipalities must get together and coordinate the opening of the dam. It desperately needs to be dredged from Thompson Park to Devoe. Mayor Martin told her that dredging would come from the DEP. There has been no dredging since 1990. The Army Corp of Engineers did a study. The next rain storm will be better coordinated.

Senator Peter Barnes congratulated the Mayor and Council for their years of service. We have to come together and come up with solutions for problems like Kathleen's. He acknowledged Joseph Sinagra. He said they politically ran against each other and he has developed an admiration for him. He plans to go to the towns he represents and Helmetta is the first. There is the perception that we are forgotten but we're not. He said he is here to help us when needed. He is making himself available to us and you should put yourself at his disposal.

Kathleen Williamson introduced her friend Upendra Chuvukula. He said he had a calling for Public Service. He ran for State Assembly in 2001 and has been serving for thirteen years. He has created an energy master plan which will create jobs at all levels. We need to bring money back to New Jersey.

* CONSENT AGENDA – RESOLUTION # 2014 – 109

Report of Municipal Clerk, Tax Collector, Utility Revenue Collector

RESOLUTIONS:

- 103 – Authorization for Remington, Vernick & Vena to design Helmetta's Road Project
- 104 – Extra Duty Work Charged to Contractor

105 – Payment of Bills

106 – Resolution of the Borough of Helmetta authorizing Shared Services Agreement with the Borough of Spotswood for the provision of Emergency Medical Services to the Borough of Helmetta

~~107 – Agreement with the Borough of Helmetta and Kaplan Associates regarding Parcel #1 Park improvements~~

108 – Municipal Liens

MOTION – Clmn. Ascioffa SECOND – Clmn. Janeczek
ROLL CALL: 6 - 0

* APPROVAL OF MINUTES

April 23, 2014 – MOTION – Clmn. Janeczek SECOND – Clmn. Ascioffa
ROLL CALL: 6 - 0

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

Clmn. Janeczek reported that the trees on Main Street have been trimmed. IT Shared Services are being looked into. An assessment needs to be done as Windows XP is no longer supported. The outside building lights have been replaced at Borough Hall. On May 7, 2014 the Borough of Milltown was in. All catch basins were inspected and cleaning was performed on those needed. On May 20, 2014 the Department of Corrections were here and various items were completed including Residents Park. East Brunswick has settled the rate issue with Middlesex Water and due to their intervention we will not see a 17% increase in our water rates. The increase we can expect to pay will be \$15.00 per million gallons or approximately \$375.00 per year.

Clwmn. Yvette Bruno said that we have over thirty vendors and forty trophies for the Car Show. We will have a photographer and an ice cream truck which will make donations to help offset expenses. As the Car Show is on the same day as St. George's Strawberry Festival we met with them to coordinate both events.

* RECITING OF ORDINANCES ON FIRST READING:

#4 – An Ordinance providing for improvements on High, John and Washington Street and appropriating the sum of \$265,000 therefore; authorized in and by the Borough of Helmetta, in the County of Middlesex, New Jersey

MOTION – Clmn. Ascioffa SECOND – Clwmn. Bruno
ROLL CALL: 6 - 0

#5 – An Ordinance providing for acquisition of Public Works Truck and appropriating the sum of \$45,000 therefore, authorized in and by the Borough of Helmetta, in the County of Middlesex, New Jersey

MOTION – Clmn. Ascioffa SECOND – Clmn. Janeczek
ROLL CALL: 6 - 0

Cmpct Auto	\$25.00							\$25.00
Obal Lnds	\$25.00							\$25.00
Reid	\$25.00							\$25.00
Rampacek	\$10.00							\$10.00
Kubiak	\$10.00							\$10.00
Murtha	\$10.00							\$10.00
Bruno	\$40.00							\$40.00
Ceccarella	\$10.00							\$10.00
Angermeier	\$10.00							\$10.00
Inzirillis	\$10.00							\$10.00
R & S	\$100.00							\$100.00
Clarkin	\$100.00							\$100.00
Spano	\$10.00							\$10.00
Fallon	\$20.00							\$20.00
Bickso	\$10.00							\$10.00
Schneider	<u>\$10.00</u>							<u>\$10.00</u>
TOTAL	\$1,060.00	\$10.00	\$130.00	\$400.00	\$20.00	\$75.00		\$425.00

Dog and Cat Licenses \$59.00

REPORT OF THE TAX COLLECTOR

Tax Collector

of: April, 2014

May 5, 2014

- 2013 \$ 14,221.34

- 2014 \$ 440,836.01

ADJUSTMENTS

- 2015

.t \$ 1,952.94

arch

Check fee

Printouts

ate Bill Fee \$ 305.00

Closing Balances

			Debit	Credit	Net
-	\$ 457,315.29	2014	\$ 860,231.92	\$ (3,313.28)	\$ 856,918.64
		2013	\$ 55,687.96		\$ 55,687.96

Collectors Trust

Disbursements

Prior Balance \$ 31,400.00

Receipts

Disbursements

Balance \$ 31,400.00

Premium Balance \$ 31,400.00

\$

-

Water/Sewer Receipts Report

April 2014

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2012 Principal	\$ -	\$ -	\$ -
2013 Principal	3,468.27	2,636.50	6,104.77
2014 Principal	<u>33,715.10</u>	<u>39,458.90</u>	<u>73,174.00</u>
Subtotal	37,183.37	42,095.40	79,278.77
Interest	<u>232.43</u>	<u>189.47</u>	<u>421.90</u>
Subtotal	37,415.80	42,284.87	79,700.67
Final Water Reads	-	-	-
NSF Returned Check	-	-	-
Refund Overpayment	-	-	-
NSF Bank Fees	-	-	-
New Water Meter	-	-	-
Connection Fee	-	-	-
Water Meter Testing	-	-	-

Transfer in from Tax	-	-	-
Transfer out to Tax	<u>-</u>	<u>-</u>	<u>-</u>
	<u>\$37,415.80</u>	<u>\$ 42,284.87</u>	<u>\$ 79,700.67</u>

Carol Feig
Utility Revenue Collector

**RESOLUTION
#2014 – 103
AUTHORIZATION FOR REMINGTON, VERNICK & VENA TO
DESIGN HELMETTA’S ROAD PROJECT**

BE IT RESOLVED, upon the recommendation of Darren Doran, Public Works Director, that Remington, Vernick & Vena are hereby authorized to design, the New Jersey Department of Transportation Fiscal Year 2014 Municipal Aid Program for John Street ,Willow Street and High Street Roadway Improvements.

The design cost is not to exceed \$15,000.00.

MOTION – Clmn. Ascioffa SECOND – Clmn. Janeczek ROLL CALL : 6 - 0

**RESOLUTION
#2014 – 104
EXTRA DUTY WORK CHARGED TO CONTRACTORS**

BE IT RESOLVED, that Article XII , Section 2 of the Agreement between the Borough of Helmetta and Spotswood P.B.A. Local No. 225 states that the extra Duty work rate shall be Sixty-Five Dollars (\$65) and the administration fee shall be paid by the contractor ; and

WHEREAS, there was never any administration fees established by the Borough;

NOW THEREFORE BE IT RESOLVED, that an administration fee of eighteen percent (18%) shall be charged to the contractor for extra duty work performed by the Police Department.

MOTION – Clmn. Ascioffa SECOND – Clmn. Janeczek ROLL CALL : 6 - 0

**RESOLUTION
2014 – 105
PAYMENT OF BILLS**

BE IT RESOLVED, that all bills as per the list shall be paid.

RESOLUTION

#2014 – 106

**RESOLUTION OF THE BOROUGH OF HELMETTA
AUTHORIZING SHARED SERVICES AGREEMENT WITH
THE BOROUGH OF SPOTSWOOD FOR THE PROVISION
OF EMERGENCY MEDICAL SERVICES TO THE
BOROUGH OF HELMETTA**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes municipalities to contract with each other for shared services; and

WHEREAS, the Borough of Helmetta (“Helmetta”) entered into a shared services agreement with the Borough of Spotswood (“Spotswood”) for the purpose of having emergency medical services provided to Helmetta by Spotswood for one year commencing June 1, 2014 through May 31, 2015, with a renewal upon the same terms and conditions for up to three (3) additional one year periods, provided that both parties have adopted resolutions authorizing the renewal of said Agreement; and

WHEREAS, for each additional year that the Agreement is renewed, Helmetta agrees to pay a non-refundable lump sum of \$2,000.00 to Spotswood due and payable within forty-five (45) days of Helmetta’s renewal of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta, County of Middlesex, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute any documents, in a form acceptable to the Borough Attorney, necessary to effectuate a one year renewal of the emergency medical services agreement with Spotswood, effective June 1, 2014. Said agreement is on file with the Borough Clerk and incorporated herein by reference.

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

- a. Patricia DeStefano, Clerk of the Borough of Spotswood
- b. Dawn McDonald, Administrator of the Borough of Spotswood
- b. David A. Clark, Borough Attorney
- c. Denise Jawidzik, CFO

MOTION – Clmn. Ascioffa SECOND – Clmn. Janeczek ROLL CALL : 6 - 0

RESOLUTION

#2014 – 108

MUNICIPAL LIEN

WHEREAS, the houses on 109 Main Street and 117 Main Street has been left vacant for several months; and

WHEREAS, there is no one who has been taking care of these houses; and

WHEREAS, the grass and weeds grew over a foot high in the front yards; and

WHEREAS, this was in violation of the Borough Code; and

WHEREAS, the Public Works Department went and cleaned the yards;

NOW THEREFORE BE IT RESOLVED, that a Municipal Lien of \$100.00 be placed on these properties for the work performed by the two Public Works employees to keep the property from being in violation.

MOTION – Clmn. Ascioffa SECOND – Clmn. Janeczek ROLL CALL : 6 – 0

RESOLUTION

#2014 – 111

EXTENSION OF PROBATION OF STEVEN GALLO

BE IT RESOLVED, that the probation period for Police Officer Steven Gallo be extended for a period of ninety (90) days from May 23, 2014 based upon the recommendation of Police Director Robert Manney. Officer Gallo has agreed to this extension.

MOTION – Clmn. Ascioffa SECOND – Clwmn. Bruno ROLL CALL 6 – 0

RESOLUTION

#2014 – 113

PAYMENT TO PARTY PERFECT RENTAL

BE IT RESOLVED, that the CFO is hereby authorized to write a check in the amount of \$2260.00 to Party Perfect Rentals for the Car Show.

MOTION – Clmn. Ascioffa SECOND – Clwmn. Vidal ROLL Call : 6 - 0

RESOLUTION

2014 – 107

**A RESOLUTION OF THE BOROUGH OF HELMETTA
AUTHORIZING THE MAYOR TO EXECUTE THE
PARCEL 1 AGREEMENT WITH KAPLAN AT
HELMETTA, LLC**

WHEREAS, the Borough of Helmetta (the “Borough”) and Kaplan at Helmetta, LLC (“Kaplan”) entered into a Redevelopment Agreement on January 11, 2006, a First Amendment to the Redevelopment Agreement in 2010, and a Second Amendment to the Redevelopment Agreement in 2011 (collectively, the “Redevelopment Agreement”) governing the redevelopment of the Helme Mill Redevelopment Area; and

WHEREAS, the real property identified on the official tax map of the Borough as Block 18, Lot 6.02 (“Parcel 1”) is located within the Helme Mill Redevelopment Area and is one of the parcels governed by the Redevelopment Agreement between the Parties; and

WHEREAS, pursuant to the Redevelopment Agreement, Kaplan is obligated, at its sole cost and expense, to remove the building foundations and materials from Parcel 1 and to thereafter transfer title to Parcel 1 to the Borough; and

WHEREAS, the Borough intends to construct improvements on Parcel 1 in order to create the Helme Mill Park in accordance with a certain plan (the “Plans”) entitled “Contract Drawings for the Borough of Helmetta – John Street Improvements & Helme Mill Park” by Remington Vernick & Vena Engineers dated March 14, 2012, sheets 1-5 and 30-35, excepting therefrom the John Street Improvements and the “Proposed Skating Rink” as shown thereon (the “Park Project”); and

WHEREAS, in order to expedite and facilitate the development of the Park Project, the Borough has requested that Kaplan construct the Park Project as part of the redevelopment of the Helme Mill Redevelopment Area and Kaplan has agreed to do so in exchange for a credit in the amount of two hundred ninety-six thousand three hundred seventy-nine dollars and seventy cents (\$296,379.70) against the sanitary connection fees that would otherwise be due and owing to the Borough; and

WHEREAS, the Borough and Kaplan have set forth the terms of their respective rights and obligations with regard to these issues within an agreement (the “Parcel 1 Agreement”); and

WHEREAS, the Borough Council wishes to authorize the Mayor to sign the Parcel 1 Agreement on behalf of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Mayor is hereby authorized to execute the Parcel 1 Agreement with Kaplan at Helmetta, LLC on behalf of the Borough in the form attached hereto; and

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

- a. Bret Kaplan, Kaplan at Helmetta LLC; and
- b. David A. Clark, Borough Attorney.

ORDINANCE
#2014 - 4

AN ORDINANCE PROVIDING FOR IMPROVEMENTS HIGH, JOHN AND WASHINGTON STREETS AND APPROPRIATING THE SUM OF \$265,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Mayor and Council of the Borough of Helmetta in the County of Middlesex, New Jersey has determined to make improvements to High, John and Washington Streets; and

WHEREAS, the Borough of Helmetta has been approved for \$250,000 in funding from the New Jersey Department of Transportation for \$250,000 and the Borough of Helmetta has \$15,000 in the Capital Improvement Fund for such improvements.

NOW THEREFORE, BE IT ORDAINED and enacted by the Mayor and Council of the Borough of Helmetta, County of Middlesex, New Jersey, that:

Section 1. The improvements described in section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Helmetta, County of Middlesex, New Jersey.

Section 2. The improvements hereby authorized to be undertaken consist of improvements to the High, John and Washington Streets, together with all items necessary, incidental or appurtenant thereto.

Section 3. The 2014 capital budget of the Borough of Helmetta is hereby amended to conform to the provisions of this ordinance.

Section 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by law.

ORDINANCE
#2014 - 5

**AN ORDINANCE PROVIDING FOR ACQUISITION OF PUBLIC WORKS TRUCK
AND APPROPRIATING THE SUM OF \$45,000 THEREFORE, AUTHORIZED IN AND
BY THE BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, NEW
JERSEY**

WHEREAS, the Mayor and Council of the Borough of Helmetta in the County of Middlesex, New Jersey has determined to acquire a Public Works truck; and

WHEREAS, the Borough of Helmetta has \$15,000 in the General Capital Improvement Fund, \$15,000 in the Water Capital Improvement Fund and \$15,000 in the Sewer Capital Improvement Fund for such improvements.

NOW THEREFORE, BE IT ORDAINED and enacted by the Mayor and Council of the Borough of Helmetta, County of Middlesex, New Jersey, that:

Section 1. The improvements described in section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Helmetta, County of Middlesex, New Jersey.

Section 2. The improvements hereby authorized to be undertaken consist of acquisition of a Public Works Truck, together with all items necessary, incidental or appurtenant thereto.

Section 3. The 2014 capital budget of the Borough of Helmetta is hereby amended to conform to the provisions of this ordinance.

Section 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by law.

