



MEETING OF MAYOR AND COUNCIL
MAY 21, 2025 – MINUTES
7:00PM

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

Mayor Slavicek called the meeting to order at 7:00pm. All in attendance stood for a moment of silence for two past Borough employees, RJ Oross and Sal Masucci, both passed away this week and our thoughts and prayers are with their families and loved ones.

*** CALLING OF THE ROLL**

Mayor Slavicek

Councilman Karczewski – absent

Councilwoman Bohinski

Councilman Duffy

Councilman Dzingleski

Councilman Reid - absent

Councilman Stasi

Also in attendance was Borough Attorney Sandra Graise and Business Administrator Matthew Crane.

*** 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. Everyone will be given five minutes to speak as per the Rules to Govern adopted January 3, 2024. 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.

No one from the public spoke.

* ACCEPTANCE OF MINUTES – April 16, 2025

MOTION – Councilwoman Bohinski

SECONDED – Councilman Stasi

ROLL CALL: 4-0

*PUBLIC HEARING ON INTRODUCED 2025 MUNICIPAL BUDGET

MOTION – Councilman Dzingleski

SECONDED – Councilwoman Bohinski

ROLL CALL:4-0

No public comment.

MOTION – Councilman Dzingleski

SECONDED – Councilman Stasi

ROLL CALL:4-0

* CONSENT AGENDA

Report of Municipal Clerk and Tax Collector for April 2025

RESOLUTIONS:

2025 – 90: Resolution to Read Budget by Title Only

91: Resolution to Adopt Budget

92: Self-Review of Budget

93: Resolution for the Middlesex County Recycling Grant Program

94: Authorizing of Request for Approval of Items of Revenue and Appropriation – Recycling Enhancement Grant

95: Community Center Roof Replacement Agreement

96: Restoration of Energy Taxes to Municipalities

97: Shared Service Agreement with the Borough of Spotswood

98: Bill List

99: Authorization to Dispose of Miscellaneous and Surplus Items

100: Resignation of Fire Marshal/Code Enforcer Tom Droppa

101: Cancellation NJDOT Grant and Transferring Excess Funds

102: Authorization to Sign Agreement for Borough Hall Parking Lot

103: Authorization to Hire Michael Tumolo as Fire Marshal/Code Enforcer

104: Waive of Type 1 Permit Fees

MOTION -Councilwoman Bohinski

SECONDED – Councilman Duffy

ROLL CALL: 4-0

* REPORTS of Committees, Business Administrator

Councilman Dzingleski reported on the upcoming Fishing Derby and Ice Cream, You Scream events coming up in June.

Councilman Duffy gave his condolences to the Masucci family. Sal was also a devoted member of the Knights of Columbus and he will be sorely missed.

Councilwoman Bohinski stated that two dogs were running loose and a resident stated that she will call the Mayor.

Councilman Stasi commended the Jamesburg Police Department for their professionalism in handling a recent situation near his home.

Mayor Slavicek reported on the Memorial Day Services from the Fire Department. Thanked everyone that attended Touch A Truck and the past Yard Sale was very successful and residents are already asking for a Spring one. He read correspondences from the Wright family thanking the Borough for their condolences on the passing of their mom, and a resident thanking and acknowledging Melissa Hallerman for her services. It is Municipal Clerk appreciation week, Law Enforcement appreciation week, EMS appreciation week, and DPW appreciation week. The Mayor thanked all respectively groups for their hard work and dedication to the Borough.

Business Administrator Matthew Crane stated that bids for the parking lot paving and Community Center roof will be for June 10th with a goal to award the contracts at the next Council meeting. The NJDOT project will also be awarded at the June meeting. The online auction was successful with the Durango being sold and 27 cages.

Borough Engineer Kevin Meade echoed Matt's statements on the bid openings and awarding at the next meeting.

Municipal Clerk Melissa Hallerman will connect with Council after the meeting to get availability for Spark in the Park, and she has been attending the County Board of Elections meeting getting ready for the upcoming Primary Election.

***ORDINANCE 2025-03 (Second Reading/Adoption)**

A CAPITAL ORDINANCE OF THE BOROUGH OF HELMETTA AUTHORIZING THE PAYMENT TO B&W CONSTRUCTION FOR A WATER LEAK REPAIR AND RESTORATION WORK AT 100 MAIN STREET BY BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$20,504.65 FROM BOROUGH OF HELMETTA'S WATER UTILITY CAPITAL RESERVE FOR CAPITAL OUTLAY AND WATER UTILITY 2025 BUDGETED CAPITAL OUTLAY TO COVER THE COST THEREOF.

PUBLIC HEARING

MOTION – Councilman Dzingleski

SECONDED – Councilwoman Bohinski

ROLL CALL: 4-0

No public comment.

MOTION TO CLOSE – Councilman Dzingleski
ROLL CALL: 4-0

SECONDED – Councilman Stasi

MOTION TO ADOPT – Councilman Dzingleski
ROLL CALL: 4-0

SECONDED – Councilman Duffy

*ORDINANCE 2025-04 (First Reading/Introduction)

AN ORDINANCE BY THE Borough Council of the Borough of Helmetta; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

MOTION – Councilman Dzingleski SECONDED – Councilman Stasi
ROLL CALL: 4-0

*ORDINANCE 2025-05 (First Reading/Introduction)

AN ORDINANCE ESTABLISHING REGULATIONS REGARDING FIRE HYDRANTS IN THE BOROUGH OF HELMETTA

MOTION – Councilman Dzingleski SECONDED – Councilwoman Bohinski
ROLL CALL: 4-0

*ORDINANCE 2025-06 (First Reading/Introduction)

CAPITAL ORDINANCE AMENDING IN PART CAPITAL ORDINANCE NO. 2024-04 ADOPTED ON JUNE 19, 2024 AND PROVIDING FOR VARIOUS ROAD IMPROVEMENTS, IN ORDER TO APPROPRIATE AN ADDITIONAL \$45,000 THEREFOR, FOR A TOTAL APPROPRIATION OF \$360,000, AUTHORIZED IN AND BY THE BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

MOTION – Councilman Dzingleski SECONDED – Councilman Stasi
ROLL CALL: 4-0

* CLOSED SESSION – Resolution 2025-105 pertaining to potential litigation.

MOTION – Councilman Dzingleski SECONDED – Councilwoman Bohinski

ROLL CALL: 4-0

* OPEN SESSION

MOTION – Councilman Dzingleski SECONDED – Councilwoman Bohinski
ROLL CALL: 4-0

* ADJOURNMENT

There being no further business, a MOTION to adjourn the meeting was made by Councilman Duffy and SECONDED by Councilwoman Bohinski at 7:32pm. All were in favor.

A handwritten signature in blue ink, appearing to read 'M. Hallerman', is written over a faint, circular official stamp.

Melissa Hallerman, RMC
Municipal Clerk

**Resolution
#2025-90**

RESOLUTION TO READ BUDGET BY TITLE ONLY

WHEREAS, NJSA 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of the hearing a complete copy of the approved budget as advertised has been posted in Borough Hall and copies have been made available by the Clerk to persons requiring them;

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

SECTION 2 - UPON ADOPTION FOR YEAR 2025

RESOLUTION

Be it Resolved by the HELMETTA County of MIDDLESEX BOROUGH that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 1,575,002.66 (Item 2 below) for municipal purposes, and
 (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
 (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in

Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
 (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
 (f) \$ - (Item 5 Below) Minimum Library Tax

RECORDED VOTE
 (Insert last name)

Ayes
 Bahnski
 Duffy
 Dzingleski
 Stasi

Nays
 Absent
 Karczewski
 Reid

SUMMARY OF REVENUES

1. General Revenues	08-100	\$	325,000.00
Surplus Anticipated	13-099	\$	709,251.91
Miscellaneous Revenues Anticipated	15-499	\$	77,000.00
Receipts from Delinquent Taxes	07-190	\$	1,575,002.66
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)			
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY		\$	-
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191		
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	07-192	\$	-
Total Revenues	13-299	\$	2,686,254.57

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:		XXXXXX	XXXXXXXXXXXXXX
Within "CAPS"		XXXXXX	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent		34-201	\$ 1,216,258.00
(e) Deferred Charges and Statutory Expenditures - Municipal		34-209	\$ 63,808.00
(g) Cash Deficit		46-885	\$ -
Excluded from "CAPS"		XXXXXX	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"		34-305	\$ 1,063,814.70
(c) Capital Improvements		44-999	\$ 25,000.00
(d) Municipal Debt Service		45-999	\$ 146,873.87
(e) Deferred Charges - Municipal		46-999	\$ -
(f) Judgments		37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)		29-405	\$ -
(g) Cash Deficit		46-885	\$ -
(k) For Local District School Purposes		29-410	\$ -
(m) Reserve for Uncollected Taxes		50-899	\$ 170,500.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)		07-195	
Total Appropriations		34-499	\$ 2,686,254.57

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 21st day of May, 2025. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2025 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 21st day of May, 2025, [Signature], Clerk

RESOLUTION #2025-92

**BOROUGH OF HELMETTA
MIDDLESEX COUNTY, NEW JERSEY**

SELF-EXAMINATION OF BUDGET RESOLUTION

2025 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Helmetta has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2025 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Helmetta that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

RESOLUTION #2025-92

4. That pursuant to the Local Budget Law:
- All estimates of revenue are reasonable, accurate and correctly stated,
 - Items of appropriation are properly set forth
 - In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

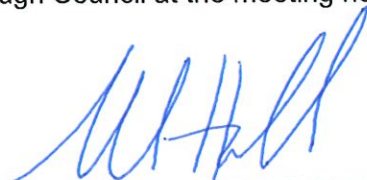
BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Vote recorded as follows:

	Moved		RECORDED VOTE			
	1st	2nd	AYES	NAYS	ABSTAIN	ABSENT
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Karczewski						✓
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, do hereby certify that the foregoing resolution is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on 21st of May 2025.



Melissa Hallerman, Borough Clerk

**RESOLUTION
2025-93**

**RESOLUTION FOR THE
MIDDLESEX COUNTY RECYCLING ENHANCEMENT GRANT**

WHEREAS, The County of Middlesex in continuing to recognize the importance of recycling and the role that the individual municipalities play in conjunction with the County towards achieving an exemplary recycling rate has proposed to provide grant monies to municipalities through the Recycling Enhancement Grant (REG) Program; and

WHEREAS, It is the intent of the REG Program to provide funds to qualifying municipalities to be used for to enhance a municipality's recycling program; and

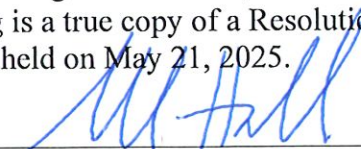
WHEREAS, It appears to be in the best interest of the Borough of Helmetta and its citizens to apply for this grant;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta to accept a grant from the Middlesex County Division of Solid Waste Management.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

RESOLUTION

2025-94

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 an equal amount;

Section 1

NOW, THEREFORE, BE IT RESOLVED, that the Township 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 2025 in the sum of \$5,00.00, which it is now available as a revenue from the "Recycling Enhancement Grant", and

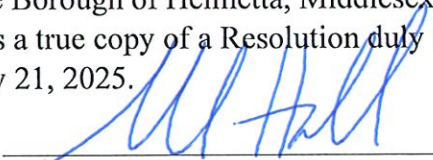
Section 2

BE IT FURTHER RESOLVED that the sum of \$5,000.00 is hereby appropriated under the caption "Recycling Enhancement Grant".

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.


MELISSA HALLERMAN
Municipal Clerk

RESOLUTION

2025-95

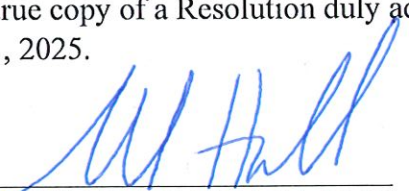
AUTHORIZING THE BOROUGH OF HELMETTA TO SIGN AN AGREEMENT WITH CENTER STATE ENGINEERING FOR THE COMMUNITY CENTER ROOF REPLACEMENT

Be it resolved, that the Mayor and Municipal Clerk are hereby authorized to sign the proposal for professional services for the Community Center roof replacement.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

CENTER STATE ENGINEERING

481 Spotswood Englishtown Road, Monroe Township, New Jersey 08831
T 732.605.9440 F 732.605.9444

May 2, 2025

Via email

Borough of Helmetta
ATTN: Matthew Crane
51 Main Street
Helmetta, NJ 08828

Re: Proposal for Professional Services
Community Center Roof Replacement
Borough of Helmetta, Middlesex County, New Jersey

Dear Mr. Crane:

Following up on your email regarding the Local Recreation Grant to replace the roof on the Helmetta Community Center, we are pleased to present you with this proposal for professional engineering and construction management services as it relates to providing plans & specifications, bid documents, bid administration, contract documents, contract administration, and construction inspection. At this time, we propose the following scope of services:

Community Center Roof

We will inspect and obtain measurements and photographs of the work area. This information will be utilized to prepare a general sketch of the work area and verify appropriate materials for the project. The materials to be utilized will be reviewed with your office for approval of same. Upon approval of the materials, we will prepare detailed specifications and bid documents for approval by the Borough. Once approved, we will advertise the project for public bid and provide bid administration along with construction administration and construction inspection services as required. It is our understanding that it is desired for the project to be put out to bid in May.

FEE FOR SERVICES.....NOT TO EXCEED \$4,000.00

Terms and Conditions

1. The fees on the hourly rate schedule are subject to change on January 1st of every year.
2. Center State Engineering will not be responsible for or have control or charge over the acts or omissions of the contractor, subcontractor or any of their agents or employees, or any other persons performing any of the work.
3. Center State Engineering is not responsible for any incorrect information shown on the documents/information supplied to our office, nor is Center State Engineering responsible for the inaccuracy of our work due to an error in the original information supplied to our office.
4. Center State Engineering will not be responsible for any and all site safety, including but not limited to the review of safety programs, co-responsibility with any contractor, sub-contractor, or the client for safety or any responsibility for safety on the site beyond the safety of the staff of Center State Engineering. Center State Engineering will comply with all Federal, State, and Local Ordinances and Regulations relative to site safety as it pertains to its own employees. If in course of normal business at the subject site, Center State employees notice a hazardous work condition, they shall bring same to the attention of the Client and/or site superintendent but shall have no obligation to verify that corrective action is taken.

Client's Initials

MH

5. Client certifies that they have the legal right to authorize Center State Engineering to enter upon the property where services are to be performed and provide authorization to Center State Engineering to enter upon the property as is necessary to allow the services described herein to be performed. Prior to commencement of work, the Client shall advise Center State Engineering in writing of any potential or possible health hazard associated with dust, fumes, gas, particulate, or other hazardous substances, wastes, or contamination that may be encountered on or adjacent to the property.
6. In the event that Center State Engineering is required to commence an action for the recovery of any sums due under this Agreement, Center State Engineering shall be entitled to recover from Client all costs incurred along with those associated with such action, including attorney's fees.
7. This agreement shall be binding upon Center State Engineering and the Client. Center State Engineering and the Client shall not assign this agreement in whole or in part without the prior written consent of all parties involved.
8. Any provision of the agreement later held to be unenforceable for any reason shall be deemed void, and all remaining provisions shall continue in full force and effect.
9. This agreement and all the attachments and enclosures incorporated herein constitute the entire agreement between the parties with respect to the subject matter and shall supersede all previous negotiations, comments, and written agreements by the parties with respect to the subject matter hereof. The provisions of this agreement shall be revised only by a written agreement signed by both parties.
10. This agreement shall be interpreted in accordance with the laws of the State of New Jersey without regard to principles of conflicts of law.
11. All documents, drawings and specifications prepared by Center State Engineering under this agreement are instruments of services and any reuse by others will require a written consent by Center State Engineering.
12. Invoices will be progress billed on a monthly basis for the work complete. A schedule of rates is attached. Payment is expected within 30 days net. If the client fails to make any payment for services within 60 days after receipt of invoices, a late charge of 1.5% per month will be added to the balance due. Center State Engineering may, after giving 7-day notice, suspend services under this agreement until all amounts due are paid in full.

Should you accept this proposal, kindly sign one copy, initial each page where indicated, and forward it to this office), as acceptance and authorization to proceed. This proposal is valid for 90 days.

Very truly yours,



Kevin Meade, Jr, PE
Helmetta Borough Engineer, Center State Engineering

I/We have reviewed the above proposal and agree to the terms as presented

By: 
Signature

5-21-2025
Date


Christopher Slavicek, Mayor
Print or Type Name

Client's Initials 

Rate Schedule January 2025-December 2025

Senior Project Manager	\$188.00	Hourly
Project Manager	\$187.00	Hourly
Project Leader	\$186.00	Hourly
Professional Engineer	\$185.00	Hourly
Senior Project Engineer	\$180.00	Hourly
Project Engineer	\$159.00	Hourly
Senior Design Engineer	\$153.00	Hourly
Design Engineer	\$147.00	Hourly
Senior Engineering Technician	\$129.00	Hourly
Engineering Technician/GIS Technician	\$122.00	Hourly
Professional Land Surveyor	\$183.00	Hourly
Land Surveyor	\$162.00	Hourly
Party Chief	\$138.00	Hourly
Survey Technician	\$105.00	Hourly
Resident Engineer	\$164.00	Hourly
Chief Construction Engineer	\$154.00	Hourly
Senior Construction Engineer	\$134.00	Hourly
Construction Engineer	\$129.00	Hourly
Chief Construction Technician	\$126.00	Hourly
Senior Construction Technician	\$116.00	Hourly
Construction Technician	\$105.00	Hourly
Technical Assistant	\$102.00	Hourly
Senior CAD Technician	\$147.00	Hourly
CAD Technician	\$140.00	Hourly
Licensed Landscape Architect	\$184.00	Hourly
Senior Landscape Designer	\$164.00	Hourly
Certified Tree Expert	\$146.00	Hourly
Landscape Designer	\$130.00	Hourly
Director of Planning	\$194.00	Hourly
Professional Planner	\$192.00	Hourly
Project Planner	\$155.00	Hourly
Planning Technician	\$132.00	Hourly
Partner	\$192.00	Hourly
Principal	\$191.00	Hourly
Managing Partner/Administrative Partner	\$221.00	Hourly
Clerical/Secretary	\$48.00	Hourly
Project Administrator	\$75.00	Hourly
Delivery	\$50.00	Hourly
Subcontract/Expenses		120% of Cost

Client's Initials



**RESOLUTION 2025-96
BOROUGH OF HELMETTA**

Resolution Calling for the Restoration of Energy Taxes to Municipalities

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to override the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policymakers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by keeping flat funding of the appropriation for CMPTRA year-over-year, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, in SFY 2023, the State did provide some much-needed relief in the allocation of \$75 million of new funds identified as the Municipal Relief Fund; and

WHEREAS, in SFY 2024, the State allocated \$150 million in Municipal Relief Funds, however, in SFY 2025 and, as proposed in SFY 2026, no allocation will exist; and

WHEREAS, in SFY 2024 the Energy Tax Receipts Program should have received over \$350 million to restore municipalities back to 2008 levels, however, the State's diversion of Energy Taxes has continued to grow causing more of a financial gap; and

WHEREAS, the cumulative impact of years of flat funding and underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Helmetta in the County of Middlesex calls for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

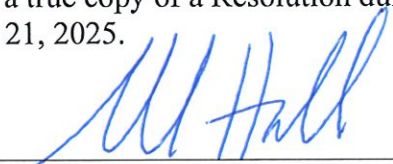
BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Assemblyman Sterley S. Stanley, Assemblyman Robert J. Karabinchak, and Senator Patrick J. Diegnan Jr., the Commissioner of the Department of Community Affairs Jacquelyn Suárez, the State Treasurer Elizabeth Maher Muoio, the Lieutenant Governor Tahesha Way, the Governor of the State of New Jersey Phil Murphy, and the New Jersey State League of Municipalities by the Township Clerk.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

BOROUGH OF HELMETTA

RESOLUTION 2025-97

MIDDLESEX COUNTY

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A SHARED
SERVICED AGREEMENT WITH THE BOROUGH OF HELMETTA AND SPOTSWOOD –
MUNICIPAL CLERK SERVICES**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., (the "Act") permits units of local government to share services for a particular purpose and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Borough of Spotswood and the Borough of Helmetta are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the Borough of Spotswood and the Borough of Helmetta desire to enter into a shared services agreement for municipal clerk services; and

WHEREAS, representatives of the Borough of Spotswood and the Borough of Helmetta have negotiated a Shared Services Agreement, a copy of which is annexed hereto, and

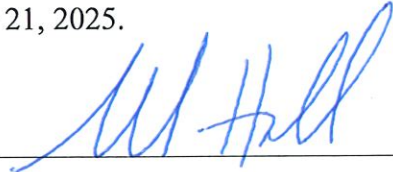
WHEREAS, the Borough of Spotswood agrees to pay the Borough of Helmetta \$20,822.77 in monthly payments; NOW

THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta, County of Middlesex, State of New Jersey as follows: That the appropriate officials be and are hereby authorized to execute the Shared Services Agreement with the Borough of Spotswood for municipal clerk services in substantially the form of the Shared Services Agreement annexed hereto and made a part hereof.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC

Municipal Clerk

**SHARED SERVICES AGREEMENT
BY AND BETWEEN THE BOROUGH OF SPOTSWOOD AND
THE BOROUGH OF HELMETTA
FOR MUNICIPAL CLERK SERVICES**

THIS AGREEMENT made this 9th date of May 2025 be and between the Borough of Spotswood (hereinafter "Spotswood"), a Municipal Corporation of the State of New Jersey, 77 Summerhill Road, Spotswood, New Jersey 08884 and the Borough of Helmetta (hereinafter "Helmetta-"), a Municipal Corporation of the State of New Jersey, 51 Main Street, Helmetta-, New Jersey 08828;

WHEREAS, Spotswood and Helmetta wish to enter into a Shared Services Agreement, for the provision of Municipal Clerk services by Helmetta to Spotswood; and

WHEREAS, by resolution adopted May 12, 2025, Spotswood authorized the execution of a Shared Services Agreement with Helmetta for the provision of Municipal Clerk services to Spotswood by Helmetta-; and

WHEREAS, by resolution adopted May 21, 2025, Helmetta authorized the execution of a Shared Services Agreement with Helmetta for the provision of Municipal Clerk services to Spotswood by Helmetta;

NOW, THEREFORE, for an in consideration of the mutual covenants and agreements between the parties and for the consideration set forth below, the parties hereto agree as follows:

1. Term/Termination. The term of this Agreement shall be for year; commencing on May 21, 2025 and ending on 31 Dec 2026. This Agreement may be terminated by either party upon thirty (30) days' advance written Notice.
2. Designation of Municipal Clerk. Upon execution of this Agreement, the current Municipal Clerk for Helmetta shall serve as the Municipal Clerk for Spotswood; and shall retain all civil service and tenure rights accrued from Helmetta. Nothing herein shall be construed to create an employer/employee relationship between Spotswood and the Municipal Clerk.
3. Duties. The Municipal Clerk shall have the powers as outlined in the Code of the Borough of Spotswood and shall perform for Spotswood all of the duties customarily performed by certified Municipal Clerks in New Jersey without regard to whether those duties are required by statute, administrative regulations, rules adopted by the New Jersey Supreme Court or the ordinances of Spotswood. The duties shall include, but shall not be limited to:

- a. Keep the minutes and records of the proceedings of the Council, and of any Council committee upon request of the Chairman of the committee.
- b. Preserve and compile all ordinances and resolutions, and at the close of each year, with the advice and assistance of the Borough Attorney, the Clerk shall compile, codify and bind all the ordinances and resolutions then in effect, in conformity with the plan and system of the Code of the Borough of Spotswood. The Clerk shall properly index the record books, compilation or codification of ordinances and resolutions and provide for their publication.
- c. Have custody of the Borough Seal, and affix it to such books, papers and documents as may be authorized pursuant to law.
- d. Have and take custody of all official books, papers and documents of the Borough for which no other repository is provided by Charter or ordinance and preserve and keep them safely.
- e. Provide secretarial services for the Council in the discharge of their official duties.
- f. Issue certificates for local government or assessment searches pursuant to state statutes and to charge and collect the fees as provided by law, which fees are to be submitted to the Borough Treasurer.

The Borough Clerk also shall:

- a. Perform all of the functions required of municipal Clerks by the general election law, N.J.S.A. 19:1-1 et seq., and any other state law or Borough ordinance and receive for Borough use the fees prescribed therefor.
- b. Perform such functions as are vested in the Borough Clerk by state law and ordinances relating to bingo and raffles licensing, dog license, liquor license, food handling, wrecker, taxi vending, amusements, games, soliciting licenses.
- c. Have such other different and additional functions, powers and duties as may be prescribed by law or ordinance or as assigned by the Council.

Vacation, sick and similar time off by the Municipal Clerk shall be covered by Helmetta.

- 4. Time. The Municipal Clerk shall work one day per week in Spotswood; and shall provide time remotely per week on an "as-needed" basis. -
- 5. Spotswood and Helmetta acknowledge that, separate and apart from this Shared Services Agreement and the annual reimbursement amount set forth herein, Spotswood may utilize the services of the Municipal Clerk on a limited, part-time, or additional as-needed basis under a separate offer letter or contractual

arrangement. Any such engagement shall be independent of this Agreement, and shall not modify, amend, or otherwise affect the obligations and considerations set forth herein.

6. Payment from Spotswood to Helmetta.

- A. Spotswood shall reimburse Helmetta for the services to be provided under this Agreement in the sum of \$20,822.77 per year for the term of this Agreement. Spotswood shall not be responsible for making any payment under this Agreement for any amount or benefits other than the reimbursement provided for this paragraph.
- B. Helmetta shall invoice Spotswood on a monthly basis. Payment by Spotswood shall be rendered no later than thirty (30) days upon receipt of invoice.
- C. Helmetta shall issue payment to the Municipal Clerk and be responsible for all mandatory reporting to outside agencies and taxing authorities; including, but not limited to:
 - i. Wages and all payroll check processing and administrative costs.
 - ii. All other compensation; including sick time, vacation time and personal time.
 - iii. All employer's payroll taxes and deductions; including but not limited to: Federal and State income taxes; Medicare and Social Security contributions; disability and unemployment taxes; and garnishments.
 - iv. Filing of required reports to government and taxing agencies.
 - v. Handling of insurance and unemployment claims.
 - vi. Maintenance of personnel and payroll records.
 - vii. Generation and distribution of required tax forms; including, but not limited to: Internal Revenue Service Forms W-4, W-2 and I-9.

- 7. Insurance. During the Term of this Agreement, Helmetta and Spotswood will consider the Municipal Clerk as being covered under their respective municipal policies as pertains to general liability and automobile insurance. During the Term of this Agreement, Helmetta shall provide workers compensation insurance coverage for the Municipal Clerk at no cost to Spotswood.
- 8. Indemnification. It is hereby understood that Spotswood and Helmetta shall be responsible for the negligence of their own employees, agents and/or servants.
- 9. Non-Compete. Spotswood agrees that for the duration of this Agreement, and for a period of 12 months following the termination of this Agreement, it will not solicit, offer or attempt to hire the Municipal Clerk as a part-time or full-time employee of the Borough of Spotswood. If Helmetta terminates the employment

of the Municipal Clerk; demotes the Municipal Clerk to a work title below Municipal Clerk; or reduces her hours with Helmetta to below 10 hours per week; then this Paragraph shall be null and void.

10. Assignment, Delegator and/or Transfer. Helmetta acknowledges and agrees that the services and duties required hereunder are personal, as a result of which Helmetta shall not assign, delegate or otherwise transfer any of its rights or duties hereunder without the prior written consent of Spotswood, such consent to be given or withheld by Spotswood in its sole discretion. Any attempted assignment, delegation or transfer by Helmetta without such consent of Spotswood shall be of no force or effect whatsoever and shall be null and void.
11. Action or Failure to Act.
 - A. By Spotswood. No action or failure to act by Spotswood shall constitute a waiver of any right or duty afforded to Spotswood under this Agreement; nor shall any such action or failure to act constitute an approval of or acquiescence in any breach of this Agreement except as may be specifically agreed to in writing.
 - B. By Helmetta. No action or failure to act by Helmetta shall constitute a waiver of any right or duty afforded to Helmetta under this Agreement; nor shall any such action or failure to act constitute an approval of or acquiescence in any breach of this Agreement except as may be specifically agreed to in writing.
12. Notices. All notices under this Agreement shall be in writing and shall have been properly served only if sent by Certified or Registered Mail, Return Receipt Request, postage prepaid:

To Spotswood at:

BOROUGH OF Spotswood
c/o Borough Administrator
77 Summerhill Road
Spotswood, New Jersey 08884

To Helmetta at:

BOROUGH OF HELMETTA
c/o Business Administrator
51 Main Street Street
Helmetta, New Jersey 08828
13. Damages. In no event shall Spotswood or Helmetta be liable to the other for any indirect, incidental, exemplary, punitive or other consequential damages, whether or not foreseeable, including, but not limited to, damages for the loss of data, good will or profits,

14. Entire Understanding. This agreement sets forth the entire understanding between the Spotswood and Helmetta with respect to the subject matter hereof. No change in, or addition to, or wavier of any provisions of this Agreement shall be binding upon either party unless in writing, signed by both parties.
15. Amendments. This Agreement may only be amended or modified in writing signed by both parties.
16. Governing Law; Disputes. This Agreement shall be governed by and construed under the laws of the State of New Jersey. In the event of a dispute arising out of this Agreement, the parties agree that they immediately will meet and make a good faith effort to resolve said dispute.
17. Severability. If any term or provision of this Agreement, to any extent, shall be determined by a court of competent jurisdiction to be invalid or unenforceable then it shall be severable and the remainder of this Agreement shall not be affected thereby and each remaining term in this Agreement shall be valid and enforced to the fullest extent allowed by law.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

ATTEST:

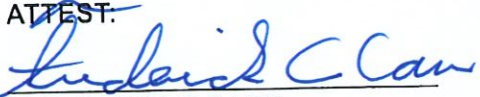

MELISSA HALLERMAN,
BOROUGH CLERK

BOROUGH OF HELMETTA

By:



CHRISTOPHER SLAVICEK,
MAYOR

ATTEST:


FREDERICK C CARR
BOROUGH ADMINISTRATOR

BOROUGH OF SPOTSWOOD

By:


RICHARD A O'BRIEN,
MAYOR

RESOLUTION

2025-98


PAYMENT OF BILLS

All bills shall be paid per list.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

Vendor # Name	PO # PO Date Description	Contract PO Type	Amount	Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
AMAZ0005 AMAZON CAPITAL SERVICES											
25-00330	05/01/25 SUPPLIES FOR FISHING DERBY										
	1 GOLD FISH/FRITO LAYS		79.52	5-01-28-795-020	B RECREATION OE	R	05/01/25	05/12/25		1KWT-TRVM-6KDX	N
	2 FISHING RODS		111.58	5-01-28-795-020	B RECREATION OE	R	05/01/25	05/12/25		1L7F-VMGP-F9TD	N
			191.10								
25-00331	05/01/25 SUPPLIES										
	1 SHREDDER		34.99	5-01-42-855-020	B MUNICIPAL COURT OE	R	05/01/25	05/12/25		1GC9-37TH-1G44	N
	2 FAN FLAG		25.49	5-01-28-795-020	B RECREATION OE	R	05/01/25	05/12/25		1CKT-K4JL-JPHX	N
	3 SNACK PACKS/CONSTRUCTION HAT		97.02	5-01-28-795-020	B RECREATION OE	R	05/01/25	05/12/25		1CKT-K4JL-JPHX	N
	4 NITRILE GLOVES		129.99	5-01-26-765-020	B STREETS & ROADS OE	R	05/01/25	05/12/25		1MK1-QQ-GQ-Y9ND	N
			287.49								
25-00332	05/05/25 PAUL CLOTHING/FISHING DERBY										
	1 PAUL CLOTHING ALLOWANCE		56.98	5-01-26-765-020	B STREETS & ROADS OE	R	05/05/25	05/12/25		1MK1-QQGG-Y9ND	N
	2 PAUL CLOTHING ALLOWANCE		300.02	5-01-26-765-020	B STREETS & ROADS OE	R	05/05/25	05/12/25		1LWT-YYKQ-HQFL	N
	3 RIBBON/NETTING		14.80	5-01-28-795-020	B RECREATION OE	R	05/05/25	05/12/25		1C7C-LWNL-4DQH	N
	4 FISHING DERBY SUPPLIES		204.15	T-13-55-000-007	B RESERVE FOR RECREATION TRUST	R	05/05/25	05/12/25		1J4W-KCRJ-97MQ	N
			575.95								
25-00355	05/12/25 FISH DERBY/ WATER SUPPLIES										
	1 FISHING DERBY SUPPLIES		196.82	T-13-55-000-007	B RESERVE FOR RECREATION TRUST	R	05/12/25	05/12/25		1LWH-PVQG-JRXP	N
	2 GALLON BAGS WATER SAMPLES		10.85	5-05-55-500-021	B WATER OPERATING OE	R	05/12/25	05/12/25		1QLQ-134T-63CP	N
	3 WATER TANK ADAPTER		9.99	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/12/25	05/12/25		1FLW-4LJH-R341	N
	4 NON POTABLE WATER STICKER		10.99	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/12/25	05/12/25		1CN1-IPW4-76TH	N
			228.65								
25-00381	05/19/25 FIRST AID KITS										
	1 INV# 19L4-CJJH-3M6G		58.83	5-01-26-765-020	B STREETS & ROADS OE	R	05/19/25	05/19/25		19L4-CJJH-3M6G	N
	2 INV# 19F6-YYQD-1FLW		224.93	5-01-26-765-020	B STREETS & ROADS OE	R	05/19/25	05/19/25		19F6-YYQD-1FLW	N
			283.76								
	Vendor Total:		1,566.95								
BALLO005 BALLOON MAGIC BY SAVINA											
25-00280	04/14/25 CHRISTMAS PARTY/EASTER PARTY										
	1 CHRISTMAS PARTY		245.00	4-01-28-795-020	B RECREATION OE	R	04/14/25	05/12/25			N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
BALLO005 BALLOON MAGIC BY SAVINA Continued											
	25-00280 04/14/25 CHRISTMAS PARTY/EASTER PARTY	Continued									
	2 EASTER PARTY		300.00	T-13-55-000-007	B RESERVE FOR RECREATION TRUST	R		04/14/25	05/12/25		N
			545.00								
			Vendor Total:	545.00							
CDW01 CDW GOVERNMENT											
	25-00250 04/03/25 MAYOR/ASSESSOR LAPTOPS										
	1 TAX ASSESSOR LAPTOP		550.06	5-01-20-710-020	B TAX ASSESSOR OE	R		04/03/25	05/12/25		N
	2 TAX ASSESSOR LAPTOP		550.06	5-01-31-834-020	B OFFICE SUPPLIES	R		04/03/25	05/12/25		N
	3 MAYOR LAPTOP		791.47	5-01-20-110-020	B MAYOR & COUNCIL OE	R		04/03/25	05/12/25		N
			1,891.59								
			Vendor Total:	1,891.59							
CENTE005 CENTER STATE ENGINEERING											
	25-00314 04/28/25 MARCH INVOICES										
	1 15 HIGH STREET INSPECTIONS		2,431.00	T-14-57-000-022	B ESCROW - 15 HIGH STREET LLC	R		04/28/25	05/12/25	16697	N
	2 LAKE AVE DOT		367.50	C-04-55-905-100	B 23-02 IMPROVE LAKE DRIVE	R		05/05/25	05/12/25	16699	N
	3 STORMWATER POLLUTION PLAN		294.00	5-01-20-715-020	B ENGINEERING SERVICE OE	R		05/05/25	05/12/25	16700	N
	4 17 SUTTON PLACE-HOLOGOUNIS		514.50	T-14-57-000-035	B HOLOGOUNIS ESCROW	R		05/05/25	05/12/25	16700	N
			3,607.00								
			Vendor Total:	3,607.00							
CIR01 CIRCLE JANITORIAL SUPPLIES											
	25-00336 05/05/25 CLEANING SUPPLIES										
	1 CLEANING SUPPLIES-INV#30062-25		40.93	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R		05/05/25	05/12/25	30062-25	N
			40.93								
			Vendor Total:	40.93							
COMCA656 COMCAST											
	25-00385 05/20/25 ACCT# 8499 05 248 0023656										
	1 ACCT# 8499 05 248 0023656		231.32	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R		05/20/25	05/20/25		N
			231.32								
			Vendor Total:	231.32							

BOROUGH OF HELMETTA
Bill List By Vendor Name

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type Charge Account	Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	1099 Excl Invoice
COMCA649 COMCAST									
25-00386	05/20/25	ACCT# 8499 05 248 0023649							
1	ACCT# 8499 05 248 0023649		174.44	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/20/25	05/20/25	N
2	ACCT# 8499 05 248 0023649		58.14	5-05-55-500-021	B WATER OPERATING OE	R	05/20/25	05/20/25	N
3	ACCT# 8499 05 248 0023649		58.15	5-07-55-500-021	B SEWER OPERATING OE	R	05/20/25	05/20/25	N
			290.73						
		Vendor Total:	290.73						
COREN005 CORE & MAIN LP									
25-00284	04/14/25	PARTS TO REPAIR HYDRANTS							
1	PARTS TO REPAIR HYDRANTS		1,030.12	5-05-55-500-021	B WATER OPERATING OE	R	04/14/25	05/21/25	N
2	PARTS TO REPAIR HYDRANTS		1,030.13	5-01-26-765-020	B STREETS & ROADS OE	R	04/14/25	05/21/25	N
			2,060.25						
		Vendor Total:	2,060.25						
CROWN005 CROWN AWARDS									
25-00321	04/28/25	FISHING DERBY TROPHIES							
1	10' TROPHIES		32.64	5-01-28-795-020	B RECREATION OE	R	04/28/25	05/12/25	N
2	11' TROPHIES		34.74	5-01-28-795-020	B RECREATION OE	R	04/28/25	05/12/25	N
3	12' TROPHIES		35.64	5-01-28-795-020	B RECREATION OE	R	04/28/25	05/12/25	N
4	SHIPPING		25.99	5-01-28-795-020	B RECREATION OE	R	04/28/25	05/12/25	N
			129.01						
		Vendor Total:	129.01						
CUS CUSTOM LANDSCAPING & LAWCARE									
25-00335	05/05/25	SPRINKLER OPENING/ REPAIR							
1	SPRINKLER OPENING BORO HALL		206.00	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25	N
2	SPRINKLER OPENING COM CENTER		194.00	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25	N
3	SPRINKLER HEAD REPLACEMENTS		200.00	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25	N
			600.00						
		Vendor Total:	600.00						

BOROUGH OF HELMETTA
Bill List By Vendor Name

Vendor #	Name	PO #	PO Date	Description	Amount	Contract PO Type Charge Account	Acct Type Description	Stat/chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice
DIL01	DILWORTH PAXSON LLP										
25-00368	05/19/25 CAPITAL ORDINANCE 2025-02				450.00	C-04-55-911-100	B SERVER 2025-02	R	05/19/25	05/19/25	N
1	CAPITAL ORDINANCE 2025-02										
	Vendor Total:				450.00						
DOGWA005	Dog Waste Depot										
25-00340	05/05/25 DOG WASTE 6000 BAGS				487.54	5-01-26-765-020	B STREETS & ROADS OE	R	05/05/25	05/21/25	N
1	DOG WASTE 6000 BAGS										
	Vendor Total:				487.54						
DOWNE005	DOWNES FOREST PRODUCTS										
25-00138	02/24/25 PLAYGROUND MULCH FOR PARKS				2,914.50	5-01-28-796-020	B PARKS OE	R	02/24/25	05/12/25	N
1	PLAYGROUND MULCH-MAPLE STREET				2,175.00	5-01-28-796-020	B PARKS OE	R	02/24/25	05/12/25	N
2	PLAYGROUND MULCH-PARK PLACE				5,089.50						
	Vendor Total:				5,089.50						
DYNAS005	DYNASTY COMMERCIAL CLEANING										
25-00333	05/05/25 APRIL COM CENTER CLEANING				1,285.20	5-01-26-774-020	B COMMUNITY CENTER OE	R	05/05/25	05/12/25	N
1	APRIL COM CENTER CLEANING										
	Vendor Total:				1,285.20						
EAS01	EAST BRUNSWICK WATER UTILITY										
25-00383	05/20/25 APRIL 2025 WATER				33,412.97	5-05-55-500-025	B PURCHASE OF WATER	R	05/20/25	05/20/25	N
1	APRIL 2025 WATER										
	Vendor Total:				33,412.97						
ENCON005	ENCON SERVICE COMPANY										
25-00359	05/12/25 GAS LEAK REPAIR 4/30/25				1,175.92	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/12/25	05/19/25	N
1	GAS LEAK REPAIR 4/30/25										
	Vendor Total:				1,175.92						

BOROUGH OF HELMETTA
Bill List By Vendor Name

Vendor #	Name	Contract PO Type	Amount	Charge Account	Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice
PO #	Description								
Item	Description								
FASTS005 FASTSIGNS OF EAST BRUNSWICK									
25-00190	03/10/25 PAINT FOR WELCOME SIGN		65.00	5-01-26-765-020	B STREETS & ROADS OE	R	03/10/25	05/21/25	N
1	PAINT FOR WELCOME SIGN								
Vendor Total:			65.00						
FLORI005 FLORIO PERRUCCI STEINHARDT									
25-00348	05/12/25 APRIL SERVICES		2,020.00	5-01-20-712-020	B LEGAL SERVICES OE	R	05/12/25	05/19/25	N
1	APRIL SERVICES								
Vendor Total:			2,020.00						
FRENCO05 FRENCH & PARRELLO ASSOCIATES									
25-00347	05/05/25 SHELTER REMEDY-156651		15,256.60	C-04-55-909-100	B ANIMAL SHELTER REMEDIATION 2024-8	R	05/05/25	05/12/25	N
1	SHELTER REMEDY-156651								
Vendor Total:			15,256.60						
GEORG005 GEORGE'S GARAGE & TOWING INC.									
25-00375	05/19/25 TOW DPW VEHICLES		575.00	5-01-26-315-020	B VEHICLE MAINT-PUBLIC WORKS	R	05/19/25	05/20/25	N
1	TOW DPW VEHICLES (8500)								
2	TOW DPW VEHICLES (350)		150.00	5-01-26-315-020	B VEHICLE MAINT-PUBLIC WORKS	R	05/19/25	05/20/25	N
			725.00						
Vendor Total:			725.00						
GRA GRAINGER									
25-00285	04/14/25 BATTERY/CHARGER/WET DRY VAC		669.73	5-05-55-500-021	B WATER OPERATING OE	R	04/14/25	05/12/25	N
1	BATTERY/CHARGER/WET DRY VAC								
Vendor Total:			669.73						
HOM02 HOME DEPOT CREDIT SERVICES									
25-00328	05/01/25 SEEDLING SUPPLIES		121.94	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/01/25	05/12/25	N
1	40LB LAWN THICK & SUN								
2	SEED STARTER MAT		55.94	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/01/25	05/12/25	N
3	SAW BLADES-3PK		36.97	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/01/25	05/12/25	N
4	PICK AX		34.98	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/01/25	05/12/25	N

Vendor # Name	PO # PO Date Description	Contract PO Type	Amount	Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
HOME DEPOT CREDIT SERVICES											
HOME02			Continued								
25-00328 05/01/25 SEEDING SUPPLIES			Continued								
	5 MIRACLE-GRO		15.97	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/01/25	05/12/25			N
	6 WATER CAN		4.97	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/01/25	05/12/25			N
	7 PANSY- 30 PK		119.76	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/01/25	05/12/25			N
	8 HANGING BASKET		89.94	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/01/25	05/12/25			N
			480.47								
25-00337 05/05/25 HOSE/TRANSFER PUMP/SCREWS/SOIL											
	1 HOSE		19.98	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25			N
	2 TRANSFER PUMP		249.00	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25			N
	3 SCREWS		3.81	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25			N
	4 SOIL FOR COM CENTER		69.79	5-01-26-772-020	B BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25			N
			342.58								
	Vendor Total:		823.05								
HOME NEWS & TRIBUNE											
HOME03											
25-00365 05/19/25 INV# 7064552											
	1 INV# 7064552		46.70	5-01-26-765-020	B STREETS & ROADS OE	R	05/19/25	05/19/25			N
	2 INV# 7064552		257.64	5-01-20-120-020	B MUNICIPAL CLERK OE	R	05/19/25	05/19/25			N
			304.34								
	Vendor Total:		304.34								
JAMESBURG PRESS											
JAM04											
25-00320 04/28/25 LETTER HEAD/ ENVELOPES											
	1 LETTER HEAD/ ENVELOPES		194.00	5-01-31-834-020	B OFFICE SUPPLIES	R	04/28/25	05/12/25			N
	Vendor Total:		194.00								
JCP&L											
JCP01											
25-00345 05/05/25 STREET LIGHTING/ELECTRICITY											
	1 STREET LIGHTING/ELECTRICITY		1,153.77	5-01-31-826-020	B STREET LIGHTING	R	05/05/25	05/12/25			N
	2 STREET LIGHTING/ELECTRICITY		1,455.91	5-01-31-825-020	B ELECTRICITY	R	05/05/25	05/12/25			N
			2,609.68								

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	First Rcvd	Enc Date	Date	Chk/Void	Invoice	1099
JCP01 JCP&L													
	25-00364 05/19/25 ACCT# 100 149 420 620												
	1 ACCT# 100 149 420 620		491.70		5-01-31-826-020	B STREET LIGHTING	R	05/19/25	05/19/25	05/19/25			N
	2 ACCT# 100 128 267 034		38.68		5-01-31-825-020	B ELECTRICITY	R	05/19/25	05/19/25	05/19/25			N
	3 ACCT# 100 117 346 864		201.34		5-01-31-825-020	B ELECTRICITY	R	05/19/25	05/19/25	05/19/25			N
	4 ACCT# 100 008 806 760		10.07		5-01-31-825-020	B ELECTRICITY	R	05/19/25	05/19/25	05/19/25			N
	5 ACCT# 100 054 008 006		248.43		5-01-31-825-020	B ELECTRICITY	R	05/19/25	05/19/25	05/19/25			N
	6 ACCT# 100 128 456 728		32.76		5-01-31-825-020	B ELECTRICITY	R	05/19/25	05/19/25	05/19/25			N
	7 ACCT# 100 114 338 708		5.06		5-01-31-825-020	B ELECTRICITY	R	05/19/25	05/19/25	05/19/25			N
			1,028.04										
	Vendor Total:		3,637.72										
NAP02 JERSEY AUTO SUPPLY													
	25-00346 05/05/25 BISTER PK MINATURES												
	1 BISTER PK MINATURES		11.98		5-01-25-749-020	B FIRE DEPARTMENT OE	R	05/05/25	05/12/25	05/12/25			N
	Vendor Total:		11.98										
FRAG01 JOE FRAGOSO													
	25-00377 05/19/25 HDMI SPITTER/USB AUDIO JACK												
	1 HDMI SPITTER		34.10		5-01-25-749-021	B FIRE DEPARTMENT-COMMUNICATIONS EQUIPMENT R	R	05/19/25	05/20/25	05/20/25			N
	2 USB AUDIO JACK		6.39		5-01-25-749-021	B FIRE DEPARTMENT-COMMUNICATIONS EQUIPMENT R	R	05/19/25	05/20/25	05/20/25			N
			40.49										
	Vendor Total:		40.49										
REI07 JOSEPH REID													
	25-00353 05/12/25 FOOD FOR FIRE HOUSE EVENT												
	1 FOOD FOR FIRE HOUSE EVENT		52.21		5-01-25-749-020	B FIRE DEPARTMENT OE	R	05/12/25	05/19/25	05/19/25			N
	Vendor Total:		52.21										
KAE01 K&A EXCAVATING, INC.													
	25-00278 04/14/25 RECYCLING LOAD OF CONCRETE												
	1 RECYCLING LOAD OF CONCRETE		60.00		G-02-15-026-028	B RECYCLING TONNAGE GRANT	R	04/14/25	05/12/25	05/12/25			N

BOROUGH OF HELMETTA
Bill List By Vendor Name

Vendor #	Name	Contract	PO Type	Amount	Charge Account	Acct Type	Description	Stat/Chk	First Rcvd	Chk/Void	1099
PO #	PO Date	Description	Item Description						Enc Date	Date	Invoice
Item Description											Excl
KAE01 K&A EXCAVATING, INC. Continued											
25-00315	04/28/25	RECYCLE LOAD OF CONCRETE	1 RECYCLE LOAD OF CONCRETE	60.00	G-02-15-026-028	B	RECYCLING TONNAGE GRANT	R	04/28/25	05/12/25	N
Vendor Total:				120.00							
KELS005 KELS0 & BURGESS											
25-00350	05/12/25	COURT SESSION- MAY 2025	1 COURT SESSION- MAY 2025	600.00	5-01-25-757-020	B	MUNICIPAL PROSECUTOR OE	R	05/12/25	05/12/25	N
Vendor Total:				600.00							
KEMPT005 KEMPTON FLAG											
25-00334	05/05/25	FLAGS	1 3X5 FLAGS	1,103.40	5-01-26-772-020	B	BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25	N
			2 5X8 FLAG	93.12	5-01-26-772-020	B	BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25	N
			3 8X12 FLAG	233.40	5-01-26-772-020	B	BUILDINGS & GROUNDS OE	R	05/05/25	05/12/25	N
				1,429.92							
Vendor Total:				1,429.92							
KUL02 KULAK ARMS & OUTFITTERS											
25-00360	05/16/25	FIRE MARSHAL PATCHES	1 FIRE MARSHAL/ CODE PATCHES	227.50	4-01-22-725-020	B	CODE ENFORCEMENT OE	R	05/16/25	05/21/25	N
Vendor Total:				227.50							
LEES001 LEE'S EMERGENCY EQUIPMENT											
25-00352	05/12/25	POWER UNIT FOR CAB/KNOXBOX	1 POWER UNIT FOR CAB/KNOXBOX	340.00	5-01-25-749-020	B	FIRE DEPARTMENT OE	R	05/12/25	05/19/25	N
Vendor Total:				340.00							
MELIS005 MELISSA HALLERMAN											
25-00306	04/28/25	RAFFLE TICKETS	1 RAFFLE TICKETS	66.00	5-01-28-795-020	B	RECREATION OE	R	04/28/25	05/12/25	N
Vendor Total:				66.00							

BOROUGH OF HELMETTA
Bill List By Vendor Name

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type	Description	Stat/Chk	First Rcvd	Chk/Void	1099
Item Description												Date	Date	Excl
MID17 MIDDLESEX COUNTY TREASURER														
25-00366	05/19/25 FUEL USAGE- APRIL 2025				506.13	5-01-31-833-020			B	GASOLINE	R	05/19/25	05/19/25	N
1	FUEL USAGE- APRIL 2025													CV-9-4-25
Vendor Total:					506.13									
MCI01 Middlesex Cty Improvement Auth														
25-00309	04/28/25 SINGLE FAMILY HOUSEHOLD-MARCH				2,835.36	5-01-43-786-020			B	MIDDLESEX CO RECYCLING PROGRAM	R	04/28/25	05/12/25	N
1	SINGLE FAMILY HOUSEHOLD-MARCH													
2	BRUSH TO CTY/ MUN SITE- MARCH				258.37	5-01-43-786-020			B	MIDDLESEX CO RECYCLING PROGRAM	R	04/28/25	05/12/25	N
Vendor Total:					3,093.73									
MCU01 Middlesex Cty Utilities Auth														
25-00363	05/19/25 SINGLE FAMILY HOUSEHOLD-APRIL				2,835.36	5-01-43-786-020			B	MIDDLESEX CO RECYCLING PROGRAM	R	05/19/25	05/19/25	N
1	SINGLE FAMILY HOUSEHOLD-APRIL													
2	BRUSH TO CTY/MUN SITE-APRIL				244.95	5-01-43-786-020			B	MIDDLESEX CO RECYCLING PROGRAM	R	05/19/25	05/19/25	N
Vendor Total:					3,080.31									
MCU01 Middlesex Cty Utilities Auth														
25-00318	04/28/25 DUMPING CHARGES- APRIL 2025				4,956.39	5-01-32-837-020			B	LANDFILL/DISPOSAL SOLID WASTE	R	04/28/25	05/12/25	N
1	DUMPING CHARGES- APRIL 2025													
Vendor Total:					4,956.39									
MUN08 MUNICIPAL CAPITAL FINANCE														
25-00369	05/19/25 SAVIN PAYMENT # 51 OF 60				247.35	5-01-31-832-020			B	COPYING	R	05/19/25	05/19/25	N
1	SAVIN PAYMENT # 51 OF 60													
Vendor Total:					247.35									
NJDEP005 NJ DEPARTMENT OF TREASURY														
25-00371	05/19/25 7/24-6/25 NJPDES PERMIT FEE				1,050.00	5-01-26-772-020			B	BUILDINGS & GROUNDS OE	R	05/19/25	05/19/25	N
1	7/24-6/25 NJPDES PERMIT FEE													
Vendor Total:					1,050.00									

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	First Rcvd	Enc Date	Chk/Void	Invoice	1099
								Date	Date	Date		Excl
NOR01 NORCIA CORPORATION												
	25-00286 04/14/25 STROBES FOR FORD ESCAPE	1 STROBES FOR FORD ESCAPE	726.86	5-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	04/14/25	05/12/25			N
	Vendor Total:		726.86									
ONS01 ON-SITE FLEET SERVICE, INC.												
	25-00264 04/07/25 SERVICE & AIR DRYER FOR 8500	1 SERVICE & AIR DRYER FOR 8500	1,603.28	5-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	04/07/25	05/12/25			N
	25-00376 05/19/25 F550 PASSENGER WHEEL ASSEMBLY	1 F550 PASSENGER WHEEL ASSEMBLY	2,269.11	5-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	05/19/25	05/19/25			N
	Vendor Total:		3,872.39									
PAULR005 PAUL REED												
	25-00338 05/05/25 SEND DOCUMENTS PARMAMUS FORD	1 SEND DOCUMENTS PARMAMUS FORD	31.40	5-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	05/05/25	05/12/25			N
	25-00378 05/19/25 TITLE REGISTRATION F550	1 TITLE REGISTRATION F550	85.00	5-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	05/19/25	05/19/25			N
	Vendor Total:		116.40									
PUR01 PITNEY BOWES BANK PURCHASE PWR												
	25-00372 05/19/25 POSTAGE REFILL	1 POSTAGE REFILL	603.75	5-01-31-831-020		B POSTAGE	R	05/19/25	05/19/25			N
	Vendor Total:		603.75									
PIT01 PITNEY BOWES GLOBAL FINANCIAL												
	25-00373 05/19/25 LEASING POSTAGE 2ND QTR 2025	1 LEASING POSTAGE 2ND QTR 2025	261.54	5-01-31-831-020		B POSTAGE	R	05/19/25	05/19/25			N
	2 LEASING POSTAGE 2ND QTR 2025		87.18	5-05-55-500-021		B WATER OPERATING OE	R	05/19/25	05/19/25			N

BOROUGH OF HELMETTA
Bill List By Vendor Name

Vendor #	Name	PO #	PO Date	Description	Amount	Contract PO Type Charge Account	Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice
SGPAV005 S&G PAVING											
25-00305 04/22/25 ADA SIDEWALK AT PARK											
						G-02-15-026-029	B CDBG 2024	R	04/22/25	05/21/25	N
1 ADA SIDEWALK AT PARK						2,680.05					
2 ADA SIDEWALK AT PARK						119.95	5-01-26-772-020	R	04/22/25	05/21/25	N
						2,800.00	B BUILDINGS & GROUNDS OE				
Vendor Total:						2,800.00					
STAR17 STAR2STAR COMMUNICATIONS											
25-00358 05/12/25 TELEPHONE- MAY 2025											
1 TELEPHONE- MAY 2025 (MUN)						363.72	B TELEPHONE COSTS	R	05/12/25	05/12/25	N
2 TELEPHONE- MAY 2025 (FD)						238.52	B TELEPHONE COSTS	R	05/12/25	05/12/25	N
						602.24					
Vendor Total:						602.24					
SUPER005 SUPERIOR FENCE & RAIL											
25-00155 02/28/25 POSTS FOR BISTRO LIGHTING											
1 POSTS FOR BISTRO LIGHTING						805.35	B STREETS & ROADS OE	R	02/28/25	03/17/25	N
2 POSTS FOR BISTRO LIGHTING						805.35	B BUILDINGS & GROUNDS OE	R	02/28/25	03/17/25	N
						1,610.70					
Vendor Total:						1,610.70					
ROS02 THOMAS C. ROSELLI, ESQ.											
25-00349 05/12/25 PUBLIC DEFENDER- MAY 2025											
1 PUBLIC DEFENDER- MAY 2025						300.00	B LEGAL SERVICES OE	R	05/12/25	05/12/25	N
Vendor Total:						300.00					
VER02 VERIZON WIRELESS											
25-00387 05/21/25 ACCT# 282659162-00001											
1 ACCT# 282659162-00001						143.06	B ADMINISTRATOR OE	R	05/21/25	05/21/25	N
2 ACCT# 282659162-00001						71.53	B STREETS & ROADS OE	R	05/21/25	05/21/25	N

Page No: 14

Vendor # Name	PO # PO Date Description	Item Description	Contract PO Type	Amount Charge Account	Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice
VER02	VERIZON WIRELESS	Continued							
25-00387	05/21/25 ACCT# 282659162-00001	Continued							
3	ACCT# 282659162-00001			71.53	B CODE ENFORCEMENT OE	R	05/21/25	05/21/25	N
				286.12					
	Vendor Total:			286.12					
VORTE005	VORTEX SERVICES, LLC								
25-00374	05/19/25 JET STORM DRAINS								
1	JET STORM DRAINS			2,000.00	B SEWER OPERATING OE	R	05/19/25	05/19/25	N
	Vendor Total:			2,000.00					
WBM01	W.B. MASON								
25-00307	04/28/25 LAMINATING SHEETS/NAME PLATE								
1	LAMINATING SHEETS			23.24	B OFFICE SUPPLIES	R	04/28/25	05/21/25	N
2	NAME PLATE			16.94	B REVENUE ADMN TAX COLL OE	R	04/28/25	05/21/25	N
				40.18					
	Vendor Total:			40.18					
WATER005	WATER RESOURCE MANAGEMENT, INC								
25-00367	05/19/25 BACKUP OPERATOR APRIL 2025								
1	BACKUP OPERATOR APRIL 2025			300.00	B WATER OPERATING OE	R	05/19/25	05/19/25	N
	Vendor Total:			300.00					
XTE01	XTEL COMMUNICATIONS								
25-00362	05/19/25 ACCT# 14428								
1	ACCT# 14428			722.60	B TELEPHONE COSTS	R	05/19/25	05/19/25	N
2	CREDIT			432.54-	B TELEPHONE COSTS	R	05/19/25	05/19/25	N
				290.06					
	Vendor Total:			290.06					
Total Purchase Orders:	73	Total P.O. Line Items:	136	Total List Amount:	143,437.01	Total Void Amount:	0.00		

BOROUGH OF HELMETTA
Bill List By Vendor Name

[illegible]

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	4-01	472.50	0.00	472.50	0.00	0.00	472.50
CURRENT FUND	5-01	50,476.95	0.00	50,476.95	0.00	0.00	50,476.95
WATER OPERATING FUND	5-05	35,632.79	0.00	35,632.79	0.00	0.00	35,632.79
SEWER OPERATING FUND	5-07	2,209.15	0.00	2,209.15	0.00	0.00	2,209.15
Year Total:		88,318.89	0.00	88,318.89	0.00	0.00	88,318.89
GENERAL CAPITAL FUND	C-04	16,074.10	0.00	16,074.10	0.00	0.00	16,074.10
GRANT FUND	G-02	34,925.05	0.00	34,925.05	0.00	0.00	34,925.05
GENERAL TRUST FUND	T-13	700.97	0.00	700.97	0.00	0.00	700.97
BUILDERS' ESCROW FUND	T-14	2,945.50	0.00	2,945.50	0.00	0.00	2,945.50
Year Total:		3,646.47	0.00	3,646.47	0.00	0.00	3,646.47
Total of All Funds:		143,437.01	0.00	143,437.01	0.00	0.00	143,437.01

**RESOLUTION
#2025-99**

**AUTHORIZATION TO DISPOSE OF MISCELLANEOUS AND SURPLUS BOROUGH
ITEMS**

BE IT RESOLVED, the Borough of Helmetta is authorized to dispose of various miscellaneous items which were declared surplus and were not sold to via Municibid Online Government Auctions web site www.municibid.com.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Acting Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

RESOLUTION
#2025-100

I, Chris Slavicek, Mayor of the Borough of Helmetta, with the advice and consent of the Borough Council, do hereby acknowledge the resignation of

THOMAS DROPPA

As FIRE MARSHAL / CODE ENFORCER for the Borough of Helmetta with the last day of employment on 5/13/25.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

BOROUGH OF HELMETTA
COUNTY OF MIDDLESEX, NEW JERSEY
RESOLUTION CANCELLING NJDOT GRANT RECEIVABLE
IMPROVEMENT AUTHORIZATION AND TRANSFERRING EXCESS FUNDS
ORDINANCE #2022-03/2022-05
TO CAPITAL IMPROVEMENT FUND
AS OF DECEMBER 31, 2024
(CONTINUED)

DATED: May 21, 2025

Vote recorded as follows:

	Moved		RECORDED VOTE			
	1st	2nd	AYES	NAYS	ABSTAIN	ABSENT
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Karczewski						✓
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, do hereby certify that the foregoing resolution is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on 21st of May 2025.



 Melissa Hallerman, Borough Clerk

BOROUGH OF HELMETTA
COUNTY OF MIDDLESEX, NEW JERSEY
RESOLUTION CANCELLING NJDOT GRANT RECEIVABLE
IMPROVEMENT AUTHORIZATION AND TRANSFERRING EXCESS FUNDS
ORDINANCE #2022-03/2022-05
TO CAPITAL IMPROVEMENT FUND
AS OF DECEMBER 31, 2024

WHEREAS, in 2022 the Borough adopted Improvement Authorization #2022-03/#2022-05 for Improvements to Locust Drive (the "Project"), and

WHEREAS, the Borough Engineer has advised that the Project is complete and that all expenditures and related funding sources have been accounted for; and

WHEREAS, it is the desire of the Governing Body to cancel the Improvement Authorization and reclassify unneeded funded amounts, and

WHEREAS, as a result of his review by the Business Administrator, it was determined that various accounts are no longer required; and

NOW, THEREFORE, BE IT RESOLVED that the following are hereby cancelled and transferred to the respective accounts, retroactive to December 31, 2024.

	<u>FROM</u>	<u>TO</u>
<u>General Capital Fund:</u>		
Ord. #2022-03/2022-05		
NJDOT Grant Receivable	\$ 156,819.52	
Improvement Authorizations Funded	206,819.52	
Capital Improvement Fund		\$ 50,000.00
	<u>\$ (50,000.00)</u>	<u>\$ 50,000.00</u>

BE IT FURTHER RESOLVED that:

- 1 Certified copies of this resolution sent to the Business Administrator, Borough CFO, and the Borough Auditor.
- 2 Certified copy be sent to the Chief Financial Officer who is authorized to make the appropriate accounting entries.

**RESOLUTION
#2025-102**


**AUTHORIZATION TO SIGN AGREEMENT FOR BOROUGH HALL PAVING
DESIGN, BIDDING, AND INSPECTION OF 51 MAIN STREET PARKING LOT**

BE IT RESOLVED, by the Borough Council of the Borough of Helmetta that the Mayor and the Municipal Clerk approve a Service Agreement for Borough Hall Paving Design, Bidding, and Inspection of 51 Main Street Parking Lot with Center State Engineering not to exceed \$7,000.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN., RMC
Municipal Clerk

CENTER STATE ENGINEERING

481 Spotswood Englishtown Road, Monroe Township, New Jersey 08831
T 732.605.9440 F 732.605.9444

AGREEMENT

THIS AGREEMENT, made this 21st day of May, 2025, by and between:

THE BOROUGH OF HELMETTA, having offices at 51 Main Street, Helmetta, New Jersey 08828 (hereinafter referred to as "the Borough"); and CENTER STATE ENGINEERING ASSOCIATES, INC., a corporation of the State of New Jersey, having its principal place of business at 481 Spotswood-Englishtown Road, Monroe Township, New Jersey, 08831 (hereinafter referred to as "CENTER STATE ENGINEERING");

WHEREAS, the Borough seeks professional services in connection with ***Borough Hall Paving Design, Bidding and Inspection***; and

WHEREAS, CENTER STATE ENGINEERING possesses the technical expertise required for said professional services; and

WHEREAS, the Borough has adopted a Resolution 25- appointing and engaging CENTER STATE ENGINEERING to provide said services;

NOW, THEREFORE, IT IS AGREED by and between the parties as follows:

WITNESSETH:

Section 1: Engagement.

The Borough hereby retains and employs CENTER STATE ENGINEERING to perform professional engineering services necessary for and in connection with ***Borough Hall Paving Design, Bidding, and Inspection*** for the Borough of Helmetta.

Section 2: Scope of Work.

CENTER STATE ENGINEERING will perform professional surveying and engineering services for the projects listed in Section 1. These services include: Preparing plans and bid documentation, along with inspection of the proposed paving project for Borough Hall's parking lot.

Section 3: Consideration.

In consideration of the services to be provided by CENTER STATE ENGINEERING pursuant to this Agreement, the Borough agrees to pay a sum not to exceed \$7,000.00 with hourly rates itemized as follows (overtime will be billed at 1.5 times the stated rates):

Rate Schedule
January 2025- December 2025

Senior Project Manager	\$179.00	Hourly
Project Manager	\$178.00	Hourly
Project Leader	\$177.00	Hourly
Professional Engineer	\$176.00	Hourly
Senior Project Engineer	\$171.00	Hourly
Project Engineer	\$151.00	Hourly
Senior Design Engineer	\$145.00	Hourly
Design Engineer	\$140.00	Hourly
Senior Engineering Technician	\$122.00	Hourly
Engineering Technician/GIS Technician	\$116.00	Hourly
Professional Land Surveyor	\$174.00	Hourly
Land Surveyor	\$154.00	Hourly
Party Chief	\$131.00	Hourly
Survey Technician	\$100.00	Hourly
Resident Engineer	\$156.00	Hourly
Chief Construction Engineer	\$146.00	Hourly
Senior Construction Engineer	\$127.00	Hourly
Construction Engineer	\$122.00	Hourly
Chief Construction Technician	\$120.00	Hourly
Senior Construction Technician	\$110.00	Hourly
Construction Technician	\$100.00	Hourly
Technical Assistant	\$97.00	Hourly
Senior CAD Technician	\$140.00	Hourly
CAD Technician	\$133.00	Hourly
Licensed Landscape Architect	\$175.00	Hourly
Senior Landscape Designer	\$156.00	Hourly
Certified Tree Expert	\$139.00	Hourly
Landscape Designer	\$123.00	Hourly
Director of Planning	\$184.00	Hourly
Professional Planner	\$182.00	Hourly
Project Planner	\$147.00	Hourly
Planning Technician	\$125.00	Hourly
Partner	\$182.00	Hourly
Principal	\$181.00	Hourly
Managing Partner/Administrative Partner	\$210.00	Hourly
Clerical/Secretary	\$45.00	Hourly
Project Administrator	\$71.00	Hourly
Delivery	\$47.00	Hourly
Subcontract/Expenses	120% of Cost	

The Borough agrees to pay CENTER STATE ENGINEERING for said work and/or materials when completed and/or delivered. Payment to be made in accordance with the Borough's usual requirements for submission of invoices and vouchers and approvals by authorized officials(s). Acceptance of Final payment by CENTER STATE ENGINEERING shall be understood to be a release in full of all claims against the Borough arising out of this Contract.

Section 4: Termination.

This Agreement may be terminated at any time by the Borough on the basis of unsatisfactory performance by CENTER STATE ENGINEERING of its responsibilities herein, as such performance is determined by the Borough. If the Borough pursuant to this Section terminates this Agreement, the Borough shall have no further obligations and CENTER STATE ENGINEERING shall have no further rights hereunder.

Section 5: Entire Understanding; Modification.

This Agreement contains the entire understanding between the parties and supersedes any prior understanding or agreements between them respecting the subject matter. There are no representations, agreements, arrangements of undertaking, oral or written, between the parties hereto relating to the subject matter of this Agreement that are not fully expressing herein.

Section 6: Affirmative Action.

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of the nondiscrimination clause;

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation:

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time .

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the areas, including employment agencies, placement bureaus, colleges, universities, labor union, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status sex, affectional or sexual orientation, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

The contractor or subcontractor agrees to review all procedure relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractor shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conduction a compliance investigation pursuant to Subchapter 10 of the Administrative Code (NJAC 17:27).

Section 7: Choice of Law

This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.

Section 8: Severability.

The terms, covenants and provisions of this Agreement shall be deemed to be severable and the invalidity of any portion of this Agreement will not and shall not be deemed to affect the validity of any other portion thereof.

Section 9: Assignment.

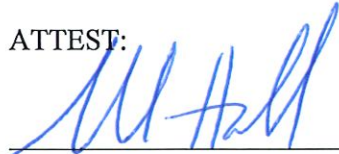
Neither party shall assign this Agreement without the prior written permission of the other party.

Section 10: Effect.

In accordance with N.J.S.A. 40A:11-15, this Agreement is effective as of adoption by Resolution by the governing body.

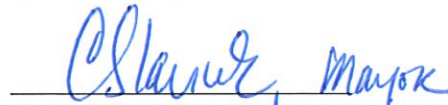
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals or caused these documents to be signed by their respective officers and caused their proper seals to be hereto affixed on the day and year first above written.

ATTEST:



MELISSA HALLERMAN, CLERK

BOROUGH OF HELMETTA:



CHRISTOPHER SLAVICEK, MAYOR

ATTEST:



ERNEST W. FEIST, PRESIDENT
CENTER STATE ENGINEERING ASSOCIATES, INC.

RESOLUTION

2025-103

HIRING OF MICHAEL TUMOLO AS FIRE MARSHAL/ CODE ENFORCER

I, Chris Slavicek, Mayor of the Borough of Helmetta, with the advice and consent of the Borough Council, do hereby appoint

MICHAEL TUMOLO

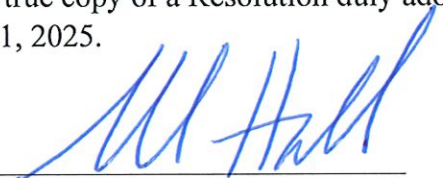
as FIRE MARSHAL/CODE ENFORCER for the Borough of for a term that expires December 31,2025.

He will receive a salary of \$10,550 starting May 22nd.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

**RESOLUTION
#2025-104**

WAIVING OF TYPE 1 PERMIT FEES

WHEREAS, a Borough event is being held at the Helmetta Pavilion on July 3, 2025 with a rain date of July 6, 2025; and.

WHEREAS, a wide variety of vehicles and amusement will be used; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Helmetta, that the type 1 permit fees for the food trucks and amusement be waived.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski	✓		✓			
Duffy		✓	✓			
Dzingleski			✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

April 2025

Municipal Clerk

DATE	NAME	FUND/ACCOUNT	AMOUNT	CK/CASH
4/2/2025	Rommel Gregorio	Animal		\$23.00 Ck# 1117
4/3/2025	Stephanie Kenneally	Trust - Easter Event		\$30.00 Ck# 595
4/4/2025	Christine Wojcik	Trust - Easter Event		\$10.00 Ck# 109
4/4/2025	Kevin Faulkner	Trust - Easter Event		\$30.00 Ck# 107
4/4/2025	Cindy Shapter	Trust - Easter Event		\$10.00 Cash
4/4/2025	Katie Gick	Trust - Easter Event		\$10.00 Cash
4/7/2025	Sarah Brandon-Grable	Trust - Easter Event		\$10.00 Cash
4/7/2025	Allison Sabio	Trust - Easter Event		\$20.00 Ck# 473
4/7/2025	Daniella Gough	Trust - Easter Event		\$10.00 Cash
4/11/2025	Jessica Conte	Trust - Easter Event		\$30.00 Cash
4/11/2025	Brian Wood	Trust - Easter Event		\$10.00 Ck# 1547
4/11/2025	Amy Silva	Trust - Easter Event		\$20.00 Cash
4/11/2025	Milko	Trust - Easter Event		\$20.00 Cash
4/11/2025	Samantha Adams	Trust - Easter Event		\$20.00 Ck# 199
4/11/2025	Steven OBrien	Marriage License - Current		\$28.00 Ck# 176
4/14/2025	Ulander Miott	Animal		\$69.00 Ck# 450
4/14/2025	Elizabeth Rutch	Trust - Easter Event		\$10.00 Ck# 1021
4/14/2025	Daniele Furnari	Trust - Easter Event		\$10.00 Ck# 107
4/15/2025	Kimberly Belyansky	Trust - Easter Event		\$20.00 Cash
4/16/2025	Susan Micale	Marriage - Current		\$75.00 Ck# 433
4/17/2025	Mark Keating	Animal		\$46.00 Cash
4/17/2025	Sandra Bohinski	Trust - Easter Event		\$20.00 Ck# 1905
4/17/2025	Katie McDonald	Trust - Easter Event		\$20.00 Cash
4/28/2025	Alejandro Santana Sanz	Certified Copy - Current		\$30.00 Ck# 103
4/30/2025	Kathy Pinto	Certified Copy - Current		\$15.00 Cash
4/30/2025	Nick Stasi	Trust - Easter Event		\$10.00 Cash

BOROUGH OF HELMETTA

REPORT OF THE TAX COLLECTOR

Tina McDermott

TINA MCDERMOTT
TAX COLLECTOR

MONTH OF: APRIL

DATED: 5/13/2025

TAXES	2024	7,713.33
TAXES	2025	213,611.30
TAXES	2026	0.00

<u>ADJUSTMENTS</u>	
SENIOR CTZN DISALLOWED	250.00
DISABLED DISALLOWED	238.44

INTEREST 882.34

488.44

COSTS FOR TAX SALE
LIEN REDEMPTION
INTEREST
DUPLICATE CERT
DUPLICATE BILL
TAX SALE PREMIUMS

<u>CLOSING BALANCES</u>			
	DEBIT	CREDIT	NET
2019	0.00	(38,011.10)	(38,011.10) Kaplan
2024	0.00	39,962.63	39,962.63
2025	(26,871.07)	1,346,515.26	1,319,644.19
			<u>1,321,595.72</u>

TOTAL 222,206.97

2026

TAX COLLECTORS TRUST

<u>DATE</u>	<u>CK#</u>	<u>SOURCE</u>	<u>DEBITS</u>	<u>CREDITS</u>	
3/31/2025					79,192.60
4/30/2025		interest paid		6.60	
			0.00	6.60	
TOTAL AS PER 4/30/25 BANK STATEMENT					79,199.20

BOROUGH OF HELMETTA

2024 \$ SOLD AT 2025 TAX SALE

2024

DELINQUENT TAXES AS OF:

4/30/25

DECEMBER				<u>77,919.39</u>
<u>2024</u>		Cash Recpts	adj	
JANUARY	77,919.39	(6,553.03)		71,366.36
FEBRUARY	71,366.36	(13,539.39)		57,826.97
MARCH	57,826.97	(10,151.01)		47,675.96
APRIL	47,675.96	(7,713.33)		39,962.63
MAY	39,962.63			39,962.63
JUNE	39,962.63			39,962.63
JULY	39,962.63			39,962.63
AUGUST	39,962.63			39,962.63
SEPTEMBER	39,962.63			39,962.63
OCTOBER	39,962.63			39,962.63
NOVEMBER	39,962.63			
BALANCE				<u>\$ 39,962.63</u>

RESOLUTION

2025-105

EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body of the Borough of Helmetta wishes to discuss litigation.

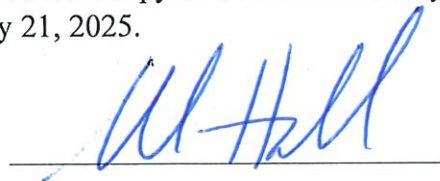
Minutes will be kept and once the matter involving the confidentiality of the matter is no longer considered confidential, then the minutes will be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from the meeting.

	Motion	Second	Aye	Nay	Abstain	Absent
Karczewski						✓
Bohinski		✓	✓			
Duffy			✓			
Dzingleski	✓		✓			
Reid						✓
Stasi			✓			

CERTIFICATION

I, Melissa Hallerman, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at the meeting held on May 21, 2025.



MELISSA HALLERMAN, RMC
Municipal Clerk

** ** *

**ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS
OF The Borough of Helmetta**

ORDINANCE NO. 2025 - 04

**AN ORDINANCE BY THE Borough Council of the Borough of Helmetta; TO ADOPT
FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Borough of Helmetta and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the Borough of Helmetta was accepted for participation in the National Flood Insurance Program and the Borough Council of the Borough of Helmetta desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65 and 70 necessary for such participation; and

WHEREAS, the Borough of Helmetta is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the Borough of Helmetta is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

WHEREAS, the Borough of Helmetta is required, pursuant to N.J.S.A.58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

**NOW, THEREFORE, BE IT ORDAINED by The Borough Council of the Borough of
Helmetta of**

The Borough of Helmetta that the following floodplain management regulations are hereby adopted.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. These regulations specifically repeal and replace any previous ordinance(s) and regulation(s).

SECTION 101 SCOPE AND ADMINISTRATION

101.1 Title. These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter "Uniform Construction Code," consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter "FHACA"), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of The Borough of Helmetta (hereinafter "these regulations").

101.2 Scope. These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Section 102 of these regulations.

101.3 Purposes and objectives. The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- (1) Protect human life and health.
- (2) Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- (3) Manage the alteration of natural floodplains, stream channels and shorelines;
- (4) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- (6) Contribute to improved construction techniques in the floodplain.
- (7) Minimize damage to public and private facilities and utilities.
- (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- (9) Minimize the need for rescue and relief efforts associated with flooding.
- (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- (12) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

101.4 Coordination with Building Codes. Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the Borough of Helmetta administer and enforce the State building codes, The Borough Council of the Borough of Helmetta does hereby acknowledge that the Uniform Construction Code contains certain provisions that apply

to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

101.5 Ordinary Building Maintenance and Minor Work. Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with the Substantial Damage and Substantial Improvement Section 103.14 of this ordinance.

101.6 Warning. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

101.7 Other laws. The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

101.8 Violations and Penalties for Noncompliance. No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$2,000 imprisonment for a term not exceeding ninety(90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30 day period, a fine greater than \$2,000 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

101.8.1 Solid Waste Disposal in a Flood Hazard Area. Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.

101.9 Abrogation and greater restrictions. These regulations supersede any ordinance in

effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

SECTION 102 APPLICABILITY

102.1 General. These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the Uniform Construction Code; and other buildings and development activities.

102.2 Establishment of Flood Hazard Areas. The Borough of Helmetta was accepted for participation in the National Flood Insurance Program on June 28, 1974.

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the **Helmetta Municipal Building, Office of Paul Reed 51 Main Street Helmetta NJ, 08828.**

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

- 1) **Effective Flood Insurance Study.** Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled Middlesex County New Jersey dated July 10 2010 and the accompanying Flood Insurance Rate Maps (FIRM) identified in Table 102.2(1) whose top level document (appendix map) effective date is July 6, 2010 are hereby adopted by reference.

Table 102.2(1)

Map Panel #	Effective Date	Suffix	Map Panel #	Effective Date	Suffix
143 of 286	July 6, 2010	FIRM			
252 of 286	July 6 2010	FIRM			
256 of 282	July 6 2010	FIRM			

- 2) **Federal Best Available Information.** The Borough of Helmetta shall utilize Federal flood information as listed in the table below that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA's Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 102.2(2)

Map Panel #	Preliminary Date	Map Panel #	Preliminary Date
FIS	January 31, 2014	144 of 286	January 31, 2014
57 of 286	January 31, 2014	151 of 286	January 31, 2014
59 of 286	January 31, 2014	152 of 286	January 31, 2014
63 of 286	January 31, 2014	153 of 286	January 31, 2014
64 of 286	January 31, 2014	156 of 286	January 31, 2014
67 of 286	January 31, 2014	157 of 286	January 31, 2014
68 of 286	January 31, 2014	158 of 286	January 31, 2014
69 of 286	January 31, 2014	159 of 286	January 31, 2014
76 of 286	January 31, 2014	161 of 286	January 31, 2014
77 of 286	January 31, 2014	162 of 286	January 31, 2014
78 of 286	January 31, 2014	163 of 286	January 31, 2014
79 of 286	January 31, 2014	166 of 286	January 31, 2014
86 of 286	January 31, 2014	167 of 286	January 31, 2014
87 of 286	January 31, 2014	178 of 286	January 31, 2014
88 of 286	January 31, 2014		
131 of 286	January 31, 2014		
132 of 286	January 31, 2014		
134	January 31, 2014		

- 3) **Other Best Available Data.** The Borough of Helmetta shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state

agencies, or other information deemed appropriate by the Borough of Helmetta. Other "best available information" may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in Section 102.2 (1) and (2), above. This information shall be used for floodplain regulation purposes only.

- 4) **State Regulated Flood Hazard Areas.** For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the "Flood Hazard Area Control Act Design Flood Elevation", as defined in Section 201, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.
- 5) The Borough shall enforce the most recent FEMA or NJDEP flood hazard data, including any future revisions or updates to the FIRM or Flood Insurance Study, upon issuance and without the need for further action by the Borough Council.

102.3 Establishing the Local Design Flood Elevation (LDFE).

The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined in Section 102.2, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in A, Coastal A, and V zones, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

- 1) For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined in Section 102.2, above plus one foot or as described by N.J.A.C. 7:13 of freeboard; or
- 2) For any undelineated watercourse (where mapping or studies described in 102.2 (1) and (2) above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:
 - a. A copy of an unexpired NJDEP Flood Hazard Area Verification plus one foot of freeboard and any additional freeboard as required by ASCE 24; or
 - b. A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus one foot of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to Section 105.2-3.
- 3) AO Zones – For Zone AO areas on the municipality's FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus one foot of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.
- 4) Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.
- 5) Class III Critical Facilities - For proposed development of new and substantially improved Flood Design Class III Critical Facilities in coastal high hazard areas, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 1 foot of freeboard in accordance with ASCE 24.

SECTION 103 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

103.1 Floodplain Administrator Designation. The **Director of Public Works** is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate

performance of certain duties to other employees.

103.2 General. The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Section 107 of these regulations.

103.3 Coordination. The Floodplain Administrator shall coordinate with the Construction Official to administer and enforce the flood provisions of the Uniform Construction Code.

103.4 Duties. The duties of the Floodplain Administrator shall include but are not limited to:

- (1) Review all permit applications to determine whether proposed development is located in flood hazard areas established in Section 102 of these regulations.
- (2) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- (3) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- (4) Determine whether additional flood hazard data shall be obtained or developed.
- (5) Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
- (6) Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 103.14 of these regulations.
- (7) Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- (8) Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction code to determine whether such requests require consideration as a variance pursuant to Section 107 of these regulations.
- (9) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- (10) Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- (11) Inspect development in accordance with Section 106 of these regulations and inspect flood hazard areas to determine if development is undertaken without issuance of permits.

- (12) Prepare comments and recommendations for consideration when applicants

seek variances in accordance with Section 107 of these regulations.

- (13) Cite violations in accordance with Section 108 of these regulations.
- (14) Notify the Federal Emergency Management Agency when the corporate boundaries of The Borough of Helmetta have been modified.
- (15) Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in Section 102.2.

103.5 Use of changed technical data. The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

103.6 Other permits. It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including section 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

103.7 Determination of Local Design Flood Elevations. If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

- (1) Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or
- (2) Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in 102.2 and 102.3 respectively. This information shall be provided to the Construction Official and documented according to Section 103.15.

103.8 Requirement to submit new technical data. Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical

changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

103.9 Activities in riverine flood hazard areas. In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

103.10 Floodway encroachment. Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land-disturbing-activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

103.10.1 Floodway revisions. A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

103.11 Watercourse alteration. Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

103.11.1 Engineering analysis. The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

103.12 Alterations in coastal areas. The excavation or alteration of sand dunes is governed by the New Jersey Coastal Zone Management (CZM) rules, N.J.A.C. 7:7. Prior to issuing a flood damage prevention permit for any alteration of sand dunes in coastal high hazard areas and Coastal A Zones, the Floodplain Administrator shall require that a New Jersey CZM permit be obtained and included in the flood damage prevention permit application. The applicant shall also provide documentation of any engineering analysis, prepared by a licensed professional engineer, that demonstrates that the proposed alteration will not increase the potential for flood damage.

103.13 Development in riparian zones All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone

located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

103.14 Substantial improvement and substantial damage determinations. When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

- (1) Estimate the market value, or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
- (2) Determine and include the costs of all ordinary maintenance and minor work, as discussed in Section 101.5, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.
- (3) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.
- (4) Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant in writing or E-Mail when it is determined that work does not constitute substantial improvement or repair of substantial damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

103.15 Department records. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

103.16 Liability. The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

SECTION 104 PERMITS

104.1 Permits Required. Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

104.2 Application for permit. The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

- (1) Identify and describe the development to be covered by the permit.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan and construction documents as specified in Section 105 of these regulations, grading and filling plans and other information deemed appropriate by the Floodplain Administrator.
- (5) State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.
- (6) Be signed by the applicant or the applicant's authorized agent.

104.3 Validity of permit. The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

104.4 Expiration. A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

104.5 Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the

basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code of this jurisdiction.

SECTION 105 SITE PLANS AND CONSTRUCTION DOCUMENTS

105.1 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 105.2.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 105.2(3) of these regulations.
- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas and Coastal A zones, new buildings shall be located landward of the reach of mean high tide.
- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.
- (7) Extent of any proposed alteration of sand dunes.
- (8) Existing and proposed alignment of any proposed alteration of a watercourse.
- (9) Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

105.2 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain Administrator to determine whether to:

- (1) Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- (2) Obtain, review, and reasonably utilize data available from a Federal, State or other

source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.

- (3) Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

105.3 Analyses and certifications by a Licensed Professional Engineer. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 105.4 of these regulations and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 105.4 of these regulations. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.
- (4) For activities that propose to alter sand dunes in coastal high hazard areas (Zone V) and Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage and documentation of the issuance of a New Jersey Coastal Zone Management permit under N.J.A.C. 7:7.
- (5) For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

105.4 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the

applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

SECTION 106 INSPECTIONS

106.1 General. Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

106.2 Inspections of development. The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.

106.3 Buildings and structures. The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

- 1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.
- 2) **Lowest horizontal structural member.** In V zones and Coastal A zones, upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.
- 3) **Installation of attendant utilities** (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in Section 801.2.
- 4) **Final inspection.** Prior to the final inspection, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.

106.4 Manufactured homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

SECTION 107 VARIANCES

107.1 General. The Planning Board of the Borough of Helmetta shall hear and decide requests for variances. The Planning Board of the Borough of Helmetta shall base its determination on technical justifications submitted by applicants, the considerations for issuance in Section 107.5, the conditions of issuance set forth in Section 107.6, and the comments and recommendations of the Floodplain Administrator and, as applicable, the

Construction Official. The Planning Board of the Borough of Helmetta has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.

107.2 Historic structures. A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

107.3 Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

107.4 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in Section 105.3(1) of these regulations.

107.5 Considerations. In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.

- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

107.6 Conditions for issuance. Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

SECTION 108 VIOLATIONS

108.1 Violations. Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, the lowest horizontal structural member if in a V or Coastal A Zone, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

108.2 Authority. The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.

108.3 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

108.4 Review Period to Correct Violations. A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall

also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

SECTION 201 DEFINITIONS

201.1 General. The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

201.2 Definitions

30 DAY PERIOD – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

100 YEAR FLOOD ELEVATION – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

500 YEAR FLOOD ELEVATION – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

A ZONES – Areas of 'Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1–A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

AH ZONES– Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO ZONES – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

ACCESSORY STRUCTURE – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

AGRICULTURAL STRUCTURE - A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures

when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

AREA OF SHALLOW FLOODING – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. **AREA OF SPECIAL FLOOD HAZARD** – see SPECIAL FLOOD HAZARD AREA

ALTERATION OF A WATERCOURSE – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7 – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24 – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE) – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the "100-year flood elevation".

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA- The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be

depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

BUILDING – Per the FHACA, "Building" means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

CONDITIONAL LETTER OF MAP REVISION - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CONDITIONAL LETTER OF MAP REVISION - FILL -- A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CRITICAL BUILDING – Per the FHACA, "Critical Building" means that:

- a. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
- b. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

DEVELOPMENT – Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent

storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

DRY FLOODPROOFING – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

ELEVATED BUILDING – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

ELEVATION CERTIFICATE – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

ENCROACHMENT – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

FEMA PUBLICATIONS – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

FLOOD OR FLOODING

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1. The overflow of inland or tidal waters.
 - 2. The unusual and rapid accumulation or runoff of surface waters from any source.
 - 3. Mudslides (i.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD HAZARD AREA DESIGN FLOOD ELEVATION – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A

water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

FLOOD INSURANCE RATE MAP (FIRM) – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN OR FLOOD PRONE AREA – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN MANAGEMENT REGULATIONS – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODPROOFING CERTIFICATE – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

HABITABLE BUILDING— Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational

vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

HARDSHIP – As related to Section 107 of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Borough Council of the Borough of Helmetta requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE – Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved State program as determined by the Secretary of the Interior; or
 2. Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- a. Prior to January 31, 1980; or
- b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered "lawfully existing" for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master

flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on a Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

LETTER OF MAP REVISION - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP REVISION – FILL -- A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

LICENSED DESIGN PROFESSIONAL – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

LICENSED PROFESSIONAL ENGINEER - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

LOCAL DESIGN FLOOD ELEVATION (LDFE) – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

LOWEST ADJACENT GRADE – The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

LOWEST FLOOR – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest

horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

MANUFACTURED HOME – A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the tax assessor's office, or (3) established by a qualified independent appraiser.

NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

NON-RESIDENTIAL – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

REPETITIVE LOSS – any flood-related damage sustained by a structure on two separate occasions during a 10 year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

RESIDENTIAL – Pursuant to the ASCE 24:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and
- c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL – "Solid Waste Disposal" shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION – The **Start of Construction** is as follows:

- a. **For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA)**, this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial

improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

STRUCTURE – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. The period of accumulation includes the first improvement or repair of each structure that is permanent. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. This term also includes structures which have incurred "repetitive loss" or "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

VARIANCE – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in

unnecessary hardship.

VIOLATION – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

WET FLOODPROOFING – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

SECTION 301 SUBDIVISIONS AND OTHER DEVELOPMENTS

301.1 General. Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- (1) All such proposals are consistent with the need to minimize flood damage.
- (2) All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

301.2 Subdivision requirements. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- (2) Residential building lots shall be provided with adequate buildable area outside the floodway.
- (3) The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

SECTION 401 SITE IMPROVEMENT

401.1 Encroachment in floodways. Development, land disturbing activity, and encroachments

in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with Section 105.3(1) of these regulations, that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If Section 105.3(1) is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with Section 801.2 of this ordinance and the floodway requirements of N.J.A.C. 7:13.

401.1.1 Prohibited in floodways. The following are prohibited activities:

- (1) The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- (2) Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

401.2 Sewer facilities. All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

401.3 Water facilities. All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

401.4 Storm drainage. Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

401.5 Streets and sidewalks. Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

401.6 Limitations on placement of fill. Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

401.7 Hazardous Materials. The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

SECTION 501 MANUFACTURED HOMES

501.1 General. All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

501.2 Elevation. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of

the frame is elevated to or above the elevation specified in Section 801.2.

501.3 Foundations. All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on foundations as specified by the manufacturer only if the manufacturer's installation instructions specify that the home has been designed for flood-resistant considerations and provides the conditions of applicability for velocities, depths, or wave action as required by 24 CFR Part 3285-302. The Floodplain Administrator is authorized to determine whether the design meets or exceeds the performance necessary based upon the proposed site location conditions as a precondition of issuing a flood damage prevention permit. If the Floodplain Administrator determines that the home's performance standards will not withstand the flood loads in the proposed location, the applicant must propose a design certified by a New Jersey licensed design professional and in accordance with 24 CFR 3285.301 (c) and (d) which conforms with ASCE 24, the accepted standard of engineering practice for flood resistant design and construction.

501.4 Anchoring. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

501.5 Enclosures. Fully enclosed areas below elevated manufactured homes shall comply with the requirements of Section 801.2.

501.6 Protection of mechanical equipment and outside appliances. Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in Section 801.2 of these regulations.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 801.2, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

SECTION 601 RECREATIONAL VEHICLES

601.1 Placement prohibited. The placement of recreational vehicles shall not be authorized in coastal high hazard areas and in floodways.

601.2 Temporary placement. Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

601.3 Permanent placement. Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of Section 801.2 for habitable buildings and Section 501.3.

SECTION 701 TANKS

701.1 Tanks. Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

SECTION 801 OTHER DEVELOPMENT AND BUILDING WORK

801.1 General requirements for other development and building work. All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of Section 105.3(1) of this ordinance when located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to Section 102.3;
- (4) Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;
- (5) Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to Section 102.3 or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:
 - i. Specifically allowed below the Local Design Flood Elevation; and
 - ii. Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.
- (6) Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
- (7) Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

801.2 Requirements for Habitable Buildings and Structures.

- 1) Construction and Elevation in A Zones not including Coastal A Zones.
 - a. No portion of a building is located within a V Zone.
 - b. No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.
 - c. All new construction and substantial improvement of any habitable building (as defined in Section 201) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 102.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.

- d. All new construction and substantial improvements of non-residential structures shall:
 - i. Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 102.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate; or
 - ii. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
 - 1. Meets the requirements of ASCE 24 Chapters 2 and 7; and
 - 2. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.
- e. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:
 - iii. For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
 - iv. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of 801.2.1(d)ii are met;
 - v. Be constructed to meet the requirements of ASCE 24 Chapter 2;
 - vi. Have openings documented on an Elevation Certificate; and
 - vii. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C. 7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
 - 1. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
 - 2. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
 - 3. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

801.3 Garages and accessory storage structures. Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

801.4 Fences. Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of Section 105.3(1) of these regulations. Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct

floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in Section 107 of this ordinance.

801.5 Retaining walls, sidewalks, and driveways. Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of Section 105.3(1) of these regulations and N.J.A.C. 7:13.

801.6 Swimming pools. Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of Section 105.3(1) of these regulations. Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

801.7 Roads and watercourse crossings.

- (1) For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- (2) Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of Section 105.3(1) of these regulations.

SECTION 901 TEMPORARY STRUCTURES AND TEMPORARY STORAGE

901.1 Temporary structures. Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

901.2 Temporary storage. Temporary storage includes storage of goods and materials for a period of less than 180 days. Stored materials shall not include hazardous materials.

901.3 Floodway encroachment. Temporary structures and temporary storage in floodways shall meet the requirements of Section 105.3(1) of these regulations.

SECTION 1001 UTILITY AND MISCELLANEOUS GROUP U

1001.1 Utility and Miscellaneous Group U. In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

1001.2 Flood loads. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in Section 102.3.

1001.3 Elevation. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in Section 102.3 and in accordance with ASCE 24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.

1001.4 Enclosures below base flood elevation. Fully enclosed areas below the design flood elevation shall be constructed in accordance with Section 801.2 and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

1001.5 Flood-damage resistant materials. Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in Section 102.3.

1001.6 Protection of mechanical, plumbing, and electrical systems. Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in Section 102.3.

Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

SECTION 3. SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect on June 18, 2024.

Mayor

Clerk

ORDINANCE NO. 2025-05

**BOROUGH OF HELMETTA
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
ORDINANCE ESTABLISHING REGULATIONS REGARDING FIRE HYDRANTS IN
THE BOROUGH OF HELMETTA**

WHEREAS, the Borough of Helmetta recognizes the importance of ensuring that fire hydrants remain in proper working condition at all times to protect the health, safety, and welfare of its residents and visitors; and

WHEREAS, it is essential that the ownership, maintenance responsibilities, and protection of fire hydrants, regardless of whether located on public or private property, be clearly defined to avoid delays or impairments to emergency services; and

WHEREAS, the Mayor and Council seek to clarify that all fire hydrants within the Borough are Borough property and that private individuals, entities, and property owners may bear liability for damage caused to such hydrants due to their negligence or that of their agents or invitees;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Helmetta, County of Middlesex, State of New Jersey, as follows:

§ 34-18. Fire Hydrants – Ownership, Maintenance, and Protection.

A. Ownership. All fire hydrants located within the Borough of Helmetta that are connected to the municipal or public water system shall be deemed under the ownership and/or control of the Borough. Any privately installed hydrant not part of the public water infrastructure shall remain under private ownership but shall be subject to regulation by the Borough for purposes of fire safety, maintenance access, and operational readiness.

B. Access and Use. No person shall obstruct, conceal, damage, tamper with, or otherwise interfere with the operation of any fire hydrant. Fire hydrants must remain readily visible, accessible, and unobstructed at all times. This section shall be enforced pursuant to the Borough's authority under N.J.S.A. 40:48-2. The Fire Official, Department of Public Works, and other duly authorized Borough personnel shall have unrestricted access to all fire hydrants for inspection, maintenance, or emergency use.

C. Maintenance. The Borough of Helmetta shall be responsible for conducting routine inspections, testing, and maintenance of all fire hydrants located on public property and connected to the municipal water system. In the case of fire hydrants located on private property, ownership and control shall remain with the Borough; however, the private property owner shall be responsible for ensuring that the area surrounding the hydrant is kept free and clear of any obstructions, including but not limited to fencing, vegetation, debris, or stored materials, so as to maintain immediate and safe access. Property owners shall also bear the responsibility to promptly report to the Borough any observed defect, damage, or malfunction relating to any hydrant located on or adjacent to their property.

ORDINANCE NO. 2025-05

**BOROUGH OF HELMETTA
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
ORDINANCE ESTABLISHING REGULATIONS REGARDING FIRE HYDRANTS IN
THE BOROUGH OF HELMETTA**

D. Liability for Damage. Any individual, business, contractor, corporation, or other entity that causes damage to a fire hydrant through negligent, reckless, or intentional conduct shall be held liable for the full cost of repair or replacement, including labor, materials, and any ancillary damage to public infrastructure. In the case of damage caused by a vehicle or mechanical equipment, liability shall extend to both the operator and the registered owner of such equipment.

E. Fire Official's Authority. The Borough Fire Official or their designee shall have full authority to enforce the provisions of this section, including the issuance of notices of violation, citations, and orders to correct deficiencies. The Fire Official may also take any action authorized by law to ensure compliance and safeguard public safety.

F. Violations and Penalties. Any person, firm, corporation, or entity that violates any provision of this section shall, upon conviction in municipal court, be subject to a fine of not less than \$100 and not more than \$1,000 per day for each day the violation continues, or imprisonment for a term not to exceed ninety (90) days, or community service for a period not to exceed ninety (90) days, or any combination thereof, in the discretion of the Municipal Court Judge. In addition to these penalties, the Borough shall have the right to recover from the responsible party the full cost of any necessary repairs, remediation, or replacement of damaged fire hydrants, including labor, materials, and related public property damage.

SECTION II. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION III. This Ordinance shall take effect twenty (20) days after final passage and publication in accordance with law.

Introduced: May 21, 2025

Adopted: June 18, 2025

Clerk

Mayor

ORDINANCE NO. 2025-05

**BOROUGH OF HELMETTA
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
ORDINANCE ESTABLISHING REGULATIONS REGARDING FIRE HYDRANTS IN
THE BOROUGH OF HELMETTA**

**BOROUGH OF HELMETTA
COUNTY OF MIDDLESEX**

CAPITAL ORDINANCE NO. 2025-06

CAPITAL ORDINANCE AMENDING IN PART CAPITAL ORDINANCE NO. 2024-04 ADOPTED ON JUNE 19, 2024 AND PROVIDING FOR VARIOUS ROAD IMPROVEMENTS, IN ORDER TO APPROPRIATE AN ADDITIONAL \$45,000 THEREFOR, FOR A TOTAL APPROPRIATION OF \$360,000, AUTHORIZED IN AND BY THE BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Borough of Helmetta, in the County of Middlesex, New Jersey (the "Borough") finally adopted Capital Ordinance No. 2024-04 on June 19, 2024 (the "Prior Ordinance"), providing for various road improvements within the Borough; and

WHEREAS, the Borough has determined that the costs associated with said improvements are higher than anticipated and has determined to supplement the appropriation therefor; and

WHEREAS, the Borough expects to receive \$275,900 in grant proceeds from the New Jersey Department of Transportation (NJDOT) for said improvements, and has an additional \$45,000 available in its General Capital Improvement Fund in addition to the \$39,100 authorized by the Prior Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the BOROUGH COUNCIL of the BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements authorized by the Prior Ordinance to be undertaken by the Borough consist of improvements to various roads within the Borough, including, but not limited to, Sutton Place, York Drive and Madison Drive, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 2. For the improvements authorized by the Prior Ordinance and stated in Section 1 of this ordinance, there is hereby appropriated the total sum of \$360,000, said sum being inclusive of \$39,100 from the Borough's General Capital Improvement Fund and appropriated by the Prior Ordinance, \$275,900 in grant proceeds expected to be received from the NJDOT and appropriated by the Prior Ordinance, and the additional \$45,000 available in the Borough's General Capital Improvement Fund.

Section 3. The 2025 capital budget of the Borough will conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and

capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$85,000 for engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 1 hereof, shall be applied to direct payment of the cost of the improvements within the appropriation herein authorized.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. All other provisions of the Prior Ordinance remained unchanged.

Section 8. This ordinance shall take effect as provided by law.