

**MEETING OF MAYOR AND COUNCIL  
WEDNESDAY – FEBRUARY 27, 2013  
7:00 P.M.**

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

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

**CALLING OF THE ROLL:**

ASCIOLLA  
JANECZEK - Absent  
KARCZEWSKI  
PEREZ - Absent  
SLAVICEK  
VIDAL

**2013 COMMUNITY DEVELOPMENT BLOCK GRANT**

Public Hearing

Resolution # 2013 – 74 (adoption of resolution upon decision of project)

Mayor Martin opened the meeting to the Public regarding the Community Development Block Grant funding. There was no one in the Public who wanted to speak. Since the area is quite limited in what can be done, it was recommended that a study be done on the sanitary sewers in the area. The Committee had a hard time finding a project to be done and spoke with the Public Works Director as what could be done. It was the recommendation of the Committee that an inflow and infiltration study be done on the sanitary sewers. A Motion was made by Clmn. Karczewski and Seconded by Clmn. Ascioilla. All were in favor.

**PUBLIC PORTION**

Mr. Singh, 20 North Shore Blvd. had questions regarding the new C.F.O. He wanted to know why there was even an argument about the C.F.O. when we had to hire someone and why would we want someone that lived so far out. He wanted to know why they said no. Clmn. Karczewski said he was under the impression that there were more applicants. It was not that he wanted to get the Borough in trouble; it was based on what Clmn. Perez was saying that there were other people. He said there were five other people. It was because of the process. I'm not saying that she wasn't qualified. The point is that the process wasn't followed; there is such a thing as nepotism and cronyism. If you don't interview everyone there could be a problem. I will have Joe bring his documentation to the next meeting. Clmn. Slavicek said that he thinks there was a little lack of communication. The Finance Committee never met; it all worked out in the end. Mayor said that for the record it is her appointment and then choose to vote for or against. The Finance Clerk is catching on and it is all working for the benefit of our residents. Mr. Singh said he works in New York and nobody would work for \$20,000.00. Clmn. Karczewski asked if he works for \$96.00 an hour. The Mayor asked how it is \$96.00 an hour and he said that the rate that was given to him by Joe was \$96.00. Clmn. Slavicek said maybe we should know about how many hours she works. The Mayor stated she is paid a salary. There are things that she has to do according to law. Mr. Singh stated that when he first moved into town he saw a lot of cops going on his street and he rarely sees any. He asked if we were understaffed. The Mayor said the Director is working on this. Director Bennett said that there is a Police Officer passing your house at least six times a day. Each Officer has to go by at least two times a shift. He also stating he is in the process of adding more.

Joseph Estrada, 50 Main Street, asked how many more times are we going to plant trees on Old Forge Road when each time we do, they die. Is the money coming out of his pocket? The Mayor said that we never released the funds. Clmn. Karczewski said that we have not paid for them; the money is held. The money is taken out of the bond. We sent a letter to the residents and didn't get much response. We decided we were going to wait until the spring to see what we are going to do; we definitely said that we were not going to replace it. Clmn. Slavicek said we didn't know if we were going to plant grass or add ornamental grass. Joe asked who is going to pay for it. The Mayor said the Borough would pay for it. Mr. Estrada said the Borough's money is my money. There is a fence there; why do you need trees there. Clmn. Slavicek asked how many times were they planted. He was told three times. Mr. Estrada said he doesn't want to be sarcastic about this but since Sutton Place thinks they are their own community and they have been since they got there. At every meeting all you hear is they want their trees. Clmn. Karczewski said don't be coming up here and saying that; if she didn't cut the trees that were there in the first place we wouldn't be in this situation. Mr. Estrada said well you moved there. Clmn. Karczewski said it was his choice to move there. I 'm sick of hearing this crap from everybody that it was done this way because of Sutton Place. I don't mean to yell at you but this thing comes back at me and then I have to hear why I don't come to a meeting of something else. Those trees that were there originally were good at my end of the street and they gave coverage. I sat here with the Mayor at a meeting with others and asked why doesn't it go on the other side of the street and I was told because of obstacles. You had to go around all those polls. I said I did not want my trees taken down. A resolution was done and then something was put in the back door. Talk about back door politics. The Mayor said why don't we wait and discuss this when Darren is here. Pete said he came down to where it was being said he wanted the trees down; he only wanted the road milled and paved. It was done backwards. The street was to be done first and then the trees because I would have opposed the trees again. That is why the trees are there. If you notice my trees are the only ones that survived because I watered them every day. If you don't want to put trees there fine but don't be shoving it in my face again that I didn't attend meetings. The plan with Darren was the other trees were taken out; mulch was put in the existing holes that were there to put trees in the spring. The trees that should be put in is like the trees next to the Mayor's house. If you want to bring it up at the next meeting you can bring it up when Darren is here and he can explain it. Mr. Estrada said to Clmn. Karczewski you are an elected official, what right do you have to talk to me this way. He replied because I disagree with what you are saying. You disagree, okay. The Councilman is not here; who backwashes their pool and their back yard on to Old Forge Road. Gee, would you like me to take a picture or go there right now. Yeah, he's not here I'm telling you if you ever disrespect me and talk to me like that again you will never be on Council again. Clmn. Karczewski, I wasn't disrespecting you. Mr. Estrada said you said b---s---. Clmn. Karczewski said I wasn't saying that to you; I was saying it about the process. I don't The Mayor asked Mr. Estrada to calm down. You all got fences down there I don't want to here it, you can't even see the trees. Why were the trees there before, why were they cut down. Mr. Estrada said because the developer put them in. Now they died and we have to pay for them. The Mayor said you were on the committee and Clmn. Karczewski said he was not. The Mayor said when Darren is here we can discuss the road project. Mr. Estrada said to Clmn. Karczewski I'm a taxpayer and you are an elected official and you said b---s--- to me. Clmn. Karczewski responded I did not say it to you; I said the process; don't make something that it's not. That's it. Mr. Estrada said well we see what happens. When election comes, we'll see.

**CORRESPONDENCE** – Letter of Resignation – Erin Shamy, Public Defender

**CONSENT AGENDA – RESOLUTION #75**

Report of Municipal Clerk, Tax Collector, Utility Revenue Collector

**RESOLUTIONS:**

#66 – Payment to Lori Russo

#67 – Appointment of Jason Shamy as Municipal Public Defender

- #68 – Community Development Block Grant Funding – 2012
  - #69 – Tonnage Grant Application
  - #70 – Authorization to sign Hazardous Materials Cost Recovery Agreement
  - #71 – Amendment of Animal Impoundment Fees
  - #72 – Payment of Bills
  - #73 – Resolution of the Borough of Helmetta authorizing the award of a contract to Terra Tech Construction, Inc. for road improvements to John Street in an amount not to exceed \$104,288.00
  - #76 – Appointment of Full Time Police Officer Jesse Schwartz
  - #77 – Appointment of Class II Police Officer Joseph Candurra
- MOTION - Clmn. Ascioffa    SECOND – Clwmn. Vidal  
ROLL CALL: 4 – 0

**REPORTS**

Mayor, Borough Attorney, Committees, Borough Engineer, Public Works  
No reports. Animal Shelter report will be e-mailed.

**READING OF ORDINANCE – # 2013 – 1**

An Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank (N.J.S.A. 40A:4-45.14) in the Borough of Helmetta, County of Middlesex, New Jersey  
MOTION – Clmn. Ascioffa    SECOND – Clmn. Slavicek  
ROLL CALL: 4 – 0

Clmn. Slavicek said there was a bunch of e-mails going around about parking in the streets when it snows. He asked, do we have an ordinance, the Mayor responded yes we do. I

**NEW BUSINESS**

Next meeting is March 27.

**ADJOURNMENT**

There being no further business, a MOTION was made by Clmn. Ascioffa and SECONDED by Clwmn. Vidal at 7:28 p.m

**Sandra Bohinski  
Municipal Clerk**

**REPORT OF MUNICIPAL CLERK**

	Copies	Marr Lic	Ping Bd	Towing	Licenses	Lndlr Reg	Recycling	Marr Ceremony
<b>DECEMBER, 2012</b>								
First Due	\$125.00			\$125.00				
Riporti	\$125.00			\$125.00				

Boyce	\$125.00		\$125.00	
Smith	\$10.00	<u>\$10.00</u>		
Fred's	\$125.00		\$125.00	
Tarantino	\$125.00		<u>\$125.00</u>	
Wei	\$100.00			\$100.00
Maglies	\$100.00			\$100.00
Bishop	\$100.00			\$100.00
Osowski	\$100.00			\$100.00
Gambarella	\$100.00			\$100.00
Posillico	<u>\$100.00</u>			<u>\$100.00</u>
<i>Total</i>	\$1,235.00	\$10.00	\$625.00	\$600.00

Dog & Cat License  
\$11.00

### 2012 ANNUAL REPORT OF THE MUNICIPAL CLERK

Copies	\$ 167.85
Marriage Licenses	252.00
Planning Board	20.00
Towing	625.00
Licenses	560.00
Landlord Registration	4800.00
Recycling	30.26
Marriage Ceremony	<u>175.00</u>
	\$6630.11

Dog/Cat Licenses \$2809.00

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### REPORT OF MUNICIPAL CLERK - JANUARY, 2013

	Copies	Marr Lic	Plng Bd	Towing	Licenses	Lndlr Reg	Recycling
Mendola	\$125.00			<u>\$125.00</u>			
Arico	\$100.00					\$100.00	
Ringel	\$100.00					\$100.00	

Calella	\$100.00				\$100.00
Branda	\$100.00				\$100.00
Tarr	\$100.00				\$100.00
Marone	\$100.00				\$100.00
Gokhale	\$100.00				\$100.00
Kartsanis	\$28.00	<b><u>\$28.00</u></b>			
Castagnetta	\$100.00				\$100.00
Kotlyar	\$100.00				\$100.00
Scranton	\$100.00				\$100.00
Hyde	\$100.00				\$100.00
RMKL	\$100.00				\$100.00
Kishyk	\$100.00				\$100.00
Kishyk	\$100.00				\$100.00
McDonald	\$100.00				\$100.00
LaFave	\$100.00				\$100.00
Shladovsky	\$100.00				\$100.00
Shladovsky	\$100.00				<b><u>\$100.00</u></b>
Cutolo Firm	<u>\$2.25</u>	<b><u>\$2.25</u></b>			
<b><u>Total</u></b>	\$1,955.25	\$2.25	\$28.00	\$125.00	\$1,800.00

Dog/Cat Licenses \$1,628.00

Sandra Bohinski  
Municipal Clerk

**Borough of Helmetta**

*Denise Jawidzik*  
Denise Jawidzik  
Tax Collector

**REPORT OF THE TAX COLLECTOR**

Month of: December, 2012

Dated: January 7, 2013

Taxes - 2013 \$ 14,781.77  
Taxes - 2012 \$ 23,106.34  
Taxes - 2011

Interest \$ 483.74

Costs  
Tax search  
Return Check fee  
Search Printouts  
Duplicate Bill Fee  
Misc.

**ADJUSTMENTS**

2012 Transfer O/P \$ 580.41  
2013 Transfer O/P \$ 580.41  
2012 Refund O/P \$16,397.40

**Closing Balances**

		Debit	Credit	Net
TOTAL	\$ 38,371.85	Tax 2012 \$ 96,081.15		\$96,081.15
		Tax 2011		\$ -

**Tax Collectors Trust**

Prior Balance \$ 24,600.00  
Receipts \$ 3,351.96  
Disbursements \$ 3,351.96

**Disbursements**

Check #134 \$ 3,351.96

Balance \$ 24,600.00  
Premium Balance \$ 24,600.00 \$ 3,351.96

# 2012 ANNUAL REPORT OF THE TAX COLLECTOR

*Denise  
Jawidzik*  
Denise Jawidzik  
Tax Collector

Dated: January 7, 2013

		<u>Adjustments</u>
Taxes - 2013	\$ 23,955.07	2010 Ded Allowed \$ (250.00)
Taxes - 2012	\$4,797,210.01	2010 Transfer O/P \$ 674.96
		2010 Cancel min \$ 0.52
Taxes - 2011	\$ 86,270.96	2011 Allowance \$ (500.00)
Other		2011 Disallowance \$ 875.34
		2011 transfer O/P \$ 2,625.37
		2011 Refund O/P \$12,268.08
		2011 Cty Judgment \$(49,075.06)
Interest	\$ 21,720.18	2011 Added/Omitted \$ 3,297.51
Costs		2011 Cancel \$ 2.98
Tax search		
Return Check fee	\$ 75.00	
Search Printouts		
Cert. redemption Fee		
Duplicate Bill Fee	\$ 1,080.00	
Misc.		
Tax Sale Premium	\$ 21,000.00	
		Closing Balances
		2012 \$ 96,081.15
		Prepaid \$ 25,454.14
<b>TOTAL</b>	<b>\$4,951,311.22</b>	

## Borough of Helmetta

*Denise Jawidzik*  
Denise Jawidzik  
Tax Collector

### REPORT OF THE TAX COLLECTOR

Month of: January, 2013

Dated: February 4, 2013

Taxes - 2013	\$ 270,026.26
Taxes - 2012	\$ 13,750.47
Taxes - 2011	

### ADJUSTMENTS

Interest	\$ 701.04
Costs	
Tax search	
Return Check fee	\$ 25.00
Search Printouts	
Duplicate Bill Fee	\$ 185.00
Misc.	

Closing Balances

			Debit	Credit	Net
TOTAL	\$ 284,687.77	2013	\$ 2,244,757.16	\$ (67.23)	\$2,244,689.93
		2012	\$ 82,778.04	\$ (447.36)	\$ 82,330.68

Tax Collectors Trust

Prior Balance	\$ 24,600.00
Receipts	\$ 6,693.87
Disbursements	\$ 11,693.87

Disbursements

Check #135	\$ 5,242.46
Check #136	\$ 5,000.00
Check #137	\$ 1,451.41

Balance	\$ 19,600.00	
Premium Balance	\$ 19,600.00	\$ 11,693.87

Water/Sewer Receipts Report

December 2012

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2011 Principal	\$ -	\$ -	\$ -
2012 Principal	11,353.86	10,128.13	21,481.99
2013 Principal	<u>111.75</u>	<u>-</u>	<u>111.75</u>
Subtotal	11,465.61	10,128.13	21,593.74
Interest	<u>153.64</u>	<u>156.53</u>	<u>310.17</u>
Subtotal	11,619.25	10,284.66	21,903.91
Final Water Reads	20.00		20.00
Returned Checks	-	-	-
Payment Reversal	-	-	-
NSF Bank Fees	-	-	-
Misc.	-	-	-
Connection Fee	-	-	-
Water Meter Testing	-	-	-
Transfer in from Tax	-	-	-
Transfer out to Tax	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>
Total Deposits	<u>\$11,639.25</u>	<u>\$ 10,284.66</u>	<u>\$ 21,923.91</u>



Water/Sewer Receipts Report

January 2013

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2011 Principal	\$ -	\$ 0.96	\$ 0.96
2012 Principal	3,561.86	4,418.27	7,980.13
2013 Principal	<u>33,835.78</u>	<u>43,000.16</u>	<u>76,835.94</u>
Subtotal	37,397.64	47,419.39	84,817.03
Interest	<u>109.76</u>	<u>127.81</u>	<u>237.57</u>
Subtotal	37,507.40	47,547.20	85,054.60
Final Water Reads	20.00		20.00
Returned Checks	572.32	-	572.32
Payment Reversal	-	-	-
NSF Bank Fees	-	-	-
Misc.	-	-	-
Connection Fee	-	-	-
Water Meter Testing	-	-	-
Transfer in from Tax	-	-	-
Transfer out to Tax	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>
Total Deposits	<u>\$38,099.72</u>	<u>\$ 47,547.20</u>	<u>\$ 85,646.92</u>

Carol Feig  
Utility Revenue Collector

**RESOLUTION**  
**2013 – 66**

**PAYMENT TO LORI RUSSO**

**WHEREAS**, Lori Russo is no longer employed as Chief Financial Officer for the Borough of Helmetta, and

**WHEREAS**, she has due unused compensated absences pay in the amount of \$4,442.68 calculated as follows:

Annual Salary – 2013	\$62,545.79
Salary provided for 31 days	\$ 5,212.15
Paid through 1/31/13	\$ 7,216.83
Deficit	\$(2,004.68)
Unused compensated absences	\$ 6,447.36
Final Pay	\$ 4,444,68

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Helmetta that the Chief Financial Officer is hereby authorized to issue a check to Lori Russo in the amount of \$4,442.68.

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioffa

AYES – Ascioffa, Karczewski, Slavicek, Vidal Nays - -0-

**RESOLUTION**

**2013 – 67**

**APPOINTMENT OF JASON SHAMY AS MUNICIPAL PUBLIC DEFENDER**

WHEREAS, Erin Shamy was appointed to serve as Public Defender for the Helmetta Municipal Court; and

WHEREAS, Erin Shamy has tendered her resignation due to the acceptance of a position as Municipal Prosecutor for the Jamesburg Municipal Court; and

WHEREAS, New Jersey Court rules do not allow her to serve as Municipal Prosecutor and Public Defender for municipalities within the same county;

NOW THEREFORE BE IT RESOLVED that JASON SHAMY is hereby appointed to the position of Public Defender for the Helmetta Municipal Court.

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioffa

AYES – Ascioffa, Karczewski, Slavicek, Vidal Nays - -0-

**RESOLUTION**

**2013 – 68**

**COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING**

WHEREAS, funds were received from the 2012 Community Develop Block Grant; and

WHEREAS, it is recommended that the funds be used to fix the deficiencies at Helme Mill Park and Residence Park as noted in a Safety Inspection done by Safety Down Under, Inc. ( a company given to us by JIF); and

WHEREAS, quotes were obtained for this work;

NOW THEREFORE BE IT RESOLVED that Master Const. Co. Inc., PO Box 402, Hopewell, NJ be awarded the contract to do work at Helme Mill Park for \$7975.00 and Residence Park for \$8875.00 for a total of \$16,850.00.

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioffa  
AYES – Ascioffa, Karczewski, Slavicek, Vidal Nays - -0-

## RESOLUTION

#2013 - 69

### TONNAGE GRANT APPLICATION

**WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS,** The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS,** The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS,** A resolution authorizing this municipality to apply for the 2012 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council of Helmetta to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS,** Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Helmetta that the Borough of Helmetta hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Brandon Metz and Sandra Bohinski to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioffa  
AYES – Ascioffa, Karczewski, Slavicek, Vidal Nays - -0-

**RESOLUTION**

**2013 – 70**

**AUTHORIZATION TO SIGN HAZARDOUS MATERIALS  
COST RECOVERY AGREEMENT**

WHEREAS, the Middlesex County Office of Health Services shall be the lead agency for cost recovery purposes in conjunction with the Middlesex County Office of Emergency Management, Communications and Preparedness-Hazardous Materials Unit; and

WHEREAS, it is necessary to establish a procedure and protocol for emergency response action and recovery of costs incurred by the County and/or the local municipality providing support in a hazardous materials incident;

NOW THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to sign such agreement with the County.

**RESOLUTION**

**2013 – 71**

**AMENDMENT OF ANIMAL IMPOUNDMENT FEES**

BE IT RESOLVED, that effective March 1, 2013 the municipalities of Cranbury, Matawan, Milltown and Sayreville will have their animal impoundment fees amended to be:

Cats \$75.00

Kittens \$30.00

This will keep them in line with the other municipal impoundment fees.

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioffa

AYES – Ascioffa, Karczewski, Slavicek, Vidal Nays - -0-

**RESOLUTION**

**2013 – 72**

**PAYMENT OF BILLS**

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to pay the bills as per the bill list.

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioffa

AYES – Ascioffa, Karczewski, Slavicek, Vidal Nays - -0-

**RESOLUTION**

**2013 – 73**

**RESOLUTION OF THE BOROUGH OF HELMETTA  
AUTHORIZING THE AWARD OF A CONTRACT TO TERRA  
TECH CONSTRUCTION, INC. FOR ROAD IMPROVEMENTS TO  
JOHN STREET**

**IN AN AMOUNT NOT TO EXCEED \$104,288.00**

**WHEREAS**, the Borough of Helmetta (the "Borough") issued an invitation to bid on a project for certain road improvements to John Street (the "Project") in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. (the "LPCL"); and

**WHEREAS**, the Borough Engineer has determined that the lowest responsible bidder for the Project is Terra Tech Construction, Inc. ("Terra"), 169 Route 33 East, Manalapan, NJ 07726 with a total bid of \$104,288.00; and

**WHEREAS**, the Borough Attorney has reviewed Terra's bid and has found it to be legally sufficient; and

**WHEREAS**, the Borough Council has determined that is in the best interest of the Borough to award the contract for the Project to Terra as the lowest responsible bidder submitting a conforming bid in accordance with the LPCL.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Helmetta that the contract for road improvements to John Street is hereby awarded to Terra Tech Construction, Inc., and that the Mayor is hereby authorized to execute a contract, in a form legally acceptable to the Borough Attorney, to Terra Tech Construction, Inc. in an amount not to exceed \$104,288.00 and in accordance with the bid proposal submitted by Terra.

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available for said contract from Account Number C-04-55-300-150.

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

- a. Terra Tech Construction, Inc.
- b. Denise Jawidzik, Borough Chief Financial Officer
- c. David A. Clark, Borough Attorney

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioilla  
AYES – Ascioilla, Karczewski, Slavicek, Vidal Nays - -0-

**RESOLUTION  
2013 – 76**

**APPOINTMENT OF FULL TIME POLICE OFFICER  
JESSE SCHWARTZ**

BE IT RESOLVED, that Jesse Schwartz be and is hereby appointed as Police Officer in the Borough of Helmetta. He must successfully complete his waivers and schooling designated by the Police Training Academy and any other requirements by law. As per the Borough Ordinance he shall serve a probationary period of one year after his completion of the Academy.

BE IT FURTHER RESOLVED, he will be entitled to insurance coverage under N.J. Direct 15 or a comparable plan. As a new employee he will fall under the newly negotiated contract as a new employee; and

BE IT FURTHER RESOLVED upon recommendation of the Police Director and the Public Safety Committee that he is hereby appointed as full time Police Officer subject to the completion of the Police Academy and probationary period.

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioilla  
AYES – Ascioilla, Karczewski, Slavicek, Vidal Nays - -0-

**RESOLUTION**

**APPOINTMENT OF CLASS II OFFICER JOSEPH CANDURRA**

BE IT RESOLVED, that Joseph Candurra be and is hereby appointed as Class II Officer in the Borough of Helmetta. He must successfully complete his waivers and schooling designated by the Police Training Academy and any other requirements by law.

BE IT FURTHER RESOLVED, he will be entitled to insurance coverage under N.J. Direct 15 or a comparable plan. As a new employee he will fall under the newly negotiated contract as a new employee; and

BE IT FURTHER RESOLVED upon recommendation of the Police Director and the Public Safety Committee that he is hereby appointed as Class II Police Officer subject to the completion of the Police Academy and probationary period.

MOTION – Clmn. Karczewski SECOND – Clmn. Ascioffa

AYES – Ascioffa, Karczewski, Slavicek, Vidal Nays - -0-

**ORDINANCE**

**#2013 - 1**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) IN THE BOROUGH OF HELMETTA, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**WHEREAS**, the Local Government Cap Law (N.J.S.A. 40A:4-45.1 et seq.) provides that in the preparation of its annual budget, a municipality shall limit any increase in the budget to 2.00% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40:4-45.14a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Borough Council of the Borough of Helmetta in the County of Middlesex finds it advisable and necessary to increase its CY2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the residents; and

**WHEREAS**, the Borough Council of the Borough of Helmetta hereby determines that a 3.5% increase in the budget for CY2013 over CY2012, amounting to \$51,336.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Borough Council of the Borough of Helmetta hereby determines that any amount authorized above not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Helmetta, in the County of Middlesex and State of New Jersey, a majority of the full authorized membership of the Governing Body affirmatively concurring, that in the CY2013 budget year, the final appropriations of the Borough of Helmetta shall, in accordance with this Ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% over the CY2012 final appropriations, amounting to \$51,336.25, and the CY2013 municipal budget for the Borough of Helmetta be approved and adopted in accordance with this Ordinance; and

**BE IT FURTHER ORDAINED** that any amount authorized by this Ordinance that is not appropriated as part of the final CY2013 budget shall be retained as an exception to final appropriations in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED** that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of its introduction; and

**BE IT FURTHER ORDAINED** that a certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with the Director of the Division of Local Government Services within five (5) days of final adoption; and

**BE IT FURTHER ORDAINED** that if any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance; and

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent herewith are repealed, but only to the extent of such inconsistency; and

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon adoption and publication as required by law.

MOTION – Clmn. Ascioffa    SECOND – Clmn. Slavicek

AYES – Ascioffa, Karczewski, Slavicek, Vidal    Nays - -0-