

MEETING OF MAYOR AND COUNCIL
WEDNESDAY, JULY 17, 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 by Mayor Nancy Martin at 7:05 p.m. Adequate notice of this meeting was provided as is required by the Open Public Meetings Law with publication in the Home News Tribune and posting on the bulletin board. All in attendance Pledged Allegiance to the Flag.

CALLING OF THE ROLL:

ASCIOLLA – Absent
JANECZEK
KARCZEWSKI - Absent
PEREZ
SLAVICEK
VIDAL`

PUBLIC PORTION – There was no one from the Public who wished to speak.

CONSENT AGENDA – RESOLUTION # 2013 – 147

Report of Municipal Clerk, Tax Collector, Utility Revenue Collector

RESOLUTIONS:

- ~~132 – Increase in Salary of Josh Merrill~~
- ~~133 – Increase in Salary of Joseph Reid~~
- ~~134 – Increase in hours of employment and salary of Ann Marie Mausser~~
- ~~135 – Increase in salary and responsibilities for Brandon Metz~~
- 136 – Adoption of Personnel and Policy Procedure Manual
- 137 – Adoption of Purchasing and Policy Procedure Manual
- 138 – Hiring of part time Animal Control Officer/Animal Shelter Worker – Ian McAndrew
- 139 – Resolution of the Borough of Helmetta authorizing Shared Services Agreement with the Borough of Spotswood for the provision of Emergency Management Services to the Borough of Helmetta
- 140 – Authorization for Mayor to sign form from Affordable Housing
- 141 – Hiring of Part Time Animal Shelter Worker – Rachel Horowitz
- 142 – Acceptance of the 2012 Municipal Audit
- ~~143 – A resolution of the Borough of Helmetta regarding Eugene Scheicher~~
- 144 – Payment of bills
- ~~146 – Increase in Salary of James Apgar~~
- 148 – Extension of grace period for third quarter tax payments
- 149 – Lease of copier machine for Animal Shelter

MOTION – Clmn. Janeczek SECOND – Clmn. Perez

ROLL CALL: 4 – 0

- 132 – Increase in Salary of Josh Merrill

MOTION – Clmn. Perez SECOND – Clwmn. Vidal

ROLL CALL: 0 – 4

- 133 – Increase in Salary of Joseph Reid

MOTION – Clmn. Perez SECOND – Clmn. Slavicek

ROLL CALL: 0 – 4

134 – Increase in hours of employment and salary of Ann Marie Mausser
MOTION – Clmn. Perez SECOND – Clmn. Slavicek
ROLL CALL: 0 – 4

135 – Increase in salary and responsibilities for Brandon Metz
MOTION – Clmn. Perez SECOND – Clwmn. Vidal
ROLL CALL: 0 – 4

146 - Increase in Salary of James Apgar
MOTION – Clmn. Janeczek SECOND – Clmn. Perez
ROLL CALL: 3 - 1

APPROVAL OF MINUTES of June 26, 2013
MOTION – Clmn. Janeczek SECOND – Clmn. Perez
ROLL CALL: 4 - 0

143– A resolution of the Borough of Helmetta regarding Eugene Scheicher
A lengthy discussion ensued regarding the hiring of Officer as a full time Police Officer.
It was the consensus that his probationary period be extended.
MOTION – Clmn. Janeczek SECOND – Clmn. Slavicek
ROLL CALL: 4 - 0

RECITING OF ORDINANCE, BY TITLE ONLY, ON SECOND READING AND PUBLIC HEARING
THEREON – 2013 - #5

An Ordinance providing for the acquisition of various equipment and infrastructure improvements appropriating the sum of \$70,000 therefore, authorized in and by the Borough of Helmetta, in the County of Middlesex, New Jersey

A MOTION was made by Clwmn. Vidal and SECONDED by Clmn. Janeczek to open the meeting to the Public. All were in favor and the meeting was opened to the Public. There being no one from the Public who wished to speak, the meeting was closed to the Public.

MOTION TO ADOPT – Clmn. Slavicek SECOND – Clmn. Janeczek
ROLL CALL: 4 - 0

RESOLUTION #145 – Affirmation of purchase of equipment
MOTION – Clmn. Perez SECOND – Clwmn. Vidal
ROLL CALL: 4 – 0

RECITING OF ORDINANCE, FIRST READING 2013 - #6
An Ordinance of the Borough of Helmetta amending Chapter 13 of the Code of the Borough of Helmetta entitled “Police Department”.

MOTION – Clmn. Slavicek SECOND – Clmn. Janeczek
ROLL CALL: 4 - 0

COMMITTEE REPORTS: MAYOR, BOROUGH ATTORNEY, BOROUGH ENGINEER,
DEPARTMENT REPORTS, PUBLIC WORKS

Public Works Director Darren Doran reported that 95% of the sanitary sewers were cleaned. The paving of John Street is done and striping will be done tomorrow. The wetland application filed by Kaplan has been approved.

A much lengthy discussion ensued about the animal control officers. The calls after hours was a topic discussed and how they get paid. There are three of them that are basically on call twenty-four hours a day. Billing was also discussed and there is a great need for clarification on how it is done.

Clwmn. Vidal asked if this could be brought up again at the next meeting. It was asked who recommended that increases be given and it was our Borough Administrator Herb Massa who made the recommendations. It was also reiterated that Michal Cielez is the Director of the Shelter and Darren Doran is Director of Public Works.

ADJOURNMENT – There being no further business, a MOTION to adjourn the meeting at 8:15 p.m. was made by Clmn. Perez and SECONDED by Clmn. Janeczek. All were in favor.

Sandra Bohinski, RMC
Municipal Clerk

REPORT OF MUNICIPAL CLERK -

JUNE, 2013 SANDRA BOHINSKI

	Copies	Marr Lic	Plng bd	Towing	Licenses	Lndlr Reg	Recycling
Del Percio	\$50.00				\$50.00		
DeSimone	\$20.50						<u>\$20.50</u>
Fire Dept.	\$250.00				<u>\$250.00</u>		
Barkalow	\$100.00					\$100.00	
Lewis	\$100.00					<u>\$100.00</u>	
Leventhal	<u>\$28.00</u>	<u>\$28.00</u>					
TOTAL	\$548.50	\$28.00			\$300.00	\$200.00	\$20.50

Dog and Cat License \$19.00

WATER/SEWER RECEIPTS REPORT

June 2013

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2011 Principal	\$ -	\$ -	\$ -
2012 Principal	1,184.17	1,617.42	2,801.59
2013 Principal	<u>7,165.12</u>	<u>6,302.86</u>	<u>13,467.98</u>
Subtotal	8,349.29	7,920.28	16,269.57
Interest	<u>160.04</u>	<u>166.88</u>	<u>326.92</u>
Subtotal	8,509.33	8,087.16	16,596.49
Final Water Reads	40.00		40.00
NSF Returned Checks	-	-	-
Payment Reversal	-	-	-
NSF Bank Fees	-	-	-
Misc.	-	-	-
Connection Fee	-	-	-
Water Meter Testing	-	-	-
Transfer in from Tax	-	-	-
Transfer out to Tax			
	<u>\$ 8,549.33</u>	<u>\$ 8,087.16</u>	<u>\$ 16,636.49</u>

Carol Feig
Utility Revenue Collector

Borough of Helmetta

REPORT OF THE TAX COLLECTOR

Denise Jawidzlik
Denise Jawidzlik
Tax Collector

Month of: June 2013

Dated: July 1, 2013

Taxes - 2013 \$ 30,821.65
Taxes - 2012 \$ 4,314.02
Taxes - 2011

Interest \$ 1,083.34

Costs
Tax search
Return Check fee
Search Printouts
Duplicate Bill Fee
Misc. \$ 30.00

TOTAL \$ 36,249.01

ADJUSTMENTS

2013 Cancel minimum \$ (7.89)
2013 Homestead Rebate \$ (145,278.75)

Closing Balances

	Debit	Credit	Net
2013 \$	52,604.46	(157,935.41)	\$ (105,330.95)
2012 \$	48,171.11	(447.36)	\$ 47,723.75

Tax Collectors Trust

Prior Balance \$ 15,400.00
Receipts

Disbursements

Balance \$ 15,400.00
Premium Balance \$ 15,400.00

Disbursements

\$

Prior to voting on resolutions # 132 to #135 discussion was held. Clmn. Perez said the concern was how the shelter was financially doing. Mayor Martin stated that we have a new contract with New Brunswick and our goal is to get more impoundments. Clmn. Perez was concerned that if we lost a contract we cannot take back their salaries. Darren Doran said that they are on standby; however, they do not get paid until they are called out. Clmn. Perez stated that this could be revisited at another time. He wants to be certain we have the money.

RESOLUTION
#2013 – 132
INCREASE IN SALARY FOR JOSH MERRILL

BE IT RESOLVED, that Josh Merrill be hereby given an increase of \$1.00 per hour for full time appointment at the Animal Shelter and/or as Animal Control Officer.

MOTION – Clmn. Perez SECOND – Clwmn. Vidal ROLL CALL: 0 -4

RESOLUTION
#2013 – 133
INCREASE IN SALARY FOR JOSEPH REID

BE IT RESOLVED, that Joseph Reid be hereby given a \$2.00 per hour increase for being the Animal Control Officer for the Township of North Brunswick and for back up for running the shelter on Fridays and Saturdays.

MOTION – Clmn. Perez SECOND – Clmn. Slavicek ROLL CALL: 0 -4

RESOLUTION
#2013 – 134
INCREASE IN HOURS OF EMPLOYMENT AND SALARY
FOR ANN MARIE MAUSSER

BE IT RESOLVED, that AnnMarie Mausser be hereby given an increase in salary to \$20,000.00 per year. AnnMarie work hours will now be 25 hours per week. She will work Monday and Thursday from 7:00 a.m. to 3:00 p.m. with the remaining hours being flexible.

MOTION – Clmn. Perez SECOND – Clmn. Slavicek ROLL CALL: 0 -4

RESOLUTION
#2013 – 135
INCREASE IN SALARY AND RESPONSIBILITIES FOR BRANDON METZ

BE IT RESOLVED, that Brandon Metz, be hereby given an \$1.00 per hour increase for the responsibility of running of the Shelter on Fridays and Saturdays when the Director is out of the office.

MOTION – Clmn. Perez SECOND – Clmn. Vidal ROLL CALL: 0 -4

RESOLUTION
#2013 – 136
ADOPTION OF PERSONNEL AND POLICY PROCEDURES MANUAL

WHEREAS, the original draft of the Personnel and Policy Procedures Manual was given to us by our insurance company, Middlesex County Joint Insurance Fund; and

WHEREAS, a few revisions were made to best suit the needs of the Borough;

NOW, THEREFORE BE IT RESOLVED, that the Personnel and Policy Procedures Manual dated January, 2013 be and is hereby adopted and will be distributed to all employed by the Borough.

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

RESOLUTION

#2013 – 137

ADOPTION OF PURCHASING POLICY AND PROCEDURES MANUAL

BE IT RESOLVED, that the Purchasing Policy and Procedures Manual dated May, 2013 is hereby adopted and a copy be distributed to all employed by the Borough.

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

RESOLUTION

#2013 – 138

**HIRING OF PART TIME ANIMAL CONTROL OFFICER/ANIMAL SHELTER
WORKER IAN MC ANDREW**

BE IT RESOLVED, that Ian McAndrew be hired as a part time Animal Control Officer/Animal shelter worker. His salary will be \$12.50 per hour for the first 30 days. He will be on a probationary period of 90 days at which his salary will be \$13.50 per hour. Upon completion of his probation his salary will be \$14.50 an hour.

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

RESOLUTION

#2013 – 139

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

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

WHEREAS, the Borough of Helmetta (“Helmetta”) entered into a shared services agreement with the Borough of Spotswood (“Spotswood”) for the purpose of having emergency medical services provided to Helmetta by Spotswood for one year commencing June 1, 2013 through May 31, 2014, with a renewal upon the same terms and conditions for up to three (3) additional one year periods, provided that both parties have adopted resolutions authorizing the renewal of said Agreement; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta, County of Middlesex, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute any documents, in a form acceptable to the Borough Attorney, necessary to effectuate a one year renewal of the emergency medical services agreement with Spotswood, effective June 1, 2013. Said agreement is on file with the Borough Clerk and incorporated herein by reference.

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

- a. Patricia DeStefano, Clerk of the Borough of Spotswood

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

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

RESOLUTION

2013 – 140

AUTHORIZATION FOR MAYOR TO SIGN FORM FROM AFFORDABLE HOUSING

BE IT RESOLVED, that the Governing Body hereby authorizes Nancy A. Martin, Mayor to sign the Certification of Municipal Affordable Housing Trust Fund Status.

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

CERTIFICATION OF MUNICIPAL AFFORDABLE HOUSING TRUST FUND STATUS

I, Nancy Martin, Mayor of Helmetta Borough, certify that all monitoring and data entry for the municipal affordable housing trust fund (AHTF) of Helmetta Borough are current and accurate through March 31, 2013 and that the AHTF contained \$ 1485.00 as of July 17, 2008. I also certify that all prior expenditures have been authorized via a spending plan approved by COAH. A review of municipal affordable housing trust fund records indicates that \$ -0- of the municipal trust fund was spent on approved housing activity(ies), in accordance with a COAH-approved spending plan, between July 17, 2008 and July 17, 2012, leaving a balance of \$ 1485.00 that was to have been committed for expenditure as of July 17, 2012. \$ -0- of the remaining July 17, 2008 balance has been committed for expenditure as evidenced by the enclosed documentation accompanying this certification that demonstrates a legally enforceable agreement with a third party or a firm and binding obligation to spend these trust fund monies in a manner consistent with the municipality's fair share plan, a COAH-approved spending plan, the Fair Housing Act, and all applicable regulations, including but not limited to N.J.A.C. 5:97-6.1 et seq.

In addition, between July 18, 2008 and March 31, 2009, Helmetta Borough collected an additional \$ 6,000.00. This balance was to have been expended or committed to be expended within four years of collection. Of the trust funds collected between July 18, 2008 and March 31, 2009, \$ -0- has been expended on approved affordable housing activity(ies) within four years of collection, in accordance with a COAH-approved spending plan, as evidenced by the enclosed documentation. \$ -0- of the remaining balance has been committed for expenditure as evidenced by the enclosed documentation accompanying this certification that demonstrates a legally enforceable agreement with a third party or a firm and

binding obligation to spend the trust fund monies that were collected between July 18, 2008 and March 31, 2009 in a manner consistent with the municipality's fair share plan, a COAH-approved spending plan, the Fair Housing Act, and all applicable regulations, including but not limited to N.J.A.C. 5:97-6.1 et seq.

Any assertions by the municipality of funds committed for expenditure are based upon the enclosed documentation accompanying this certification. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me, in whole or in part, are willfully false, I am subject to punishment.

(Mayor's Signature)

(Print Name)

Dated: _____

RESOLUTION
#2013 – 141
HIRING OF PART TIME ANIMAL SHELTER WORKER – RACHEL HOROWITZ

BE IT RESOLVED, that Rachel Horowitz be hired as a part time Animal shelter worker. Her salary will be \$8.50 per hour to start and after 90 days it will be increased to \$9.00 per hour.

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

RESOLUTION
2013 - 142
ACCEPTANCE OF THE 2012 MUNICIPAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A.40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled

General Comments
Recommendations

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52-to wit: R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Helmetta hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey, dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

RESOLUTION
2013 – 143
A RESOLUTION OF THE BOROUGH OF HELMETTA
APPOINTING EUGENE SCHEICHER AS PERMANENT POLICE
OFFICER

WHEREAS, pursuant to Chapter 13 (entitled “Police Department”) of the Borough Code of the Borough of Helmetta (the “Borough”), all officers appointed to the Helmetta Police Department shall serve a probationary period of one year after graduating from the police academy; and

WHEREAS, at the conclusion of the one year probationary period, the Police Director shall make a recommendation to the Borough Council with respect to such officer’s performance, and subsequently the Borough Council may appoint such officer to a permanent position or may remove the officer from the Helmetta Police Department without further recourse; and

WHEREAS, Helmetta police officer Eugene Scheicher graduated from the police academy on May 22, 2012, and accordingly, his one year probationary period was due to expire on or about May 22, 2013; and

WHEREAS, at the May 8, 2013 Borough Council meeting, with the consent of Officer Scheicher and the PBA, the Borough Council passed a resolution extending Officer Scheicher's probationary employment period for an additional sixty (60) days, so that the probationary period shall now expire on July 21, 2013; and

WHEREAS, upon conclusion of Officer Scheicher's extended probationary period, the Borough Council shall have the opportunity to determine the status of Officer Scheicher's employment with the Borough and the Police Director shall make a recommendation to the Borough Council regarding Officer Scheicher's employment; and

WHEREAS, the Borough Council desires to appoint Officer Scheicher to a permanent position with the Helmetta Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Helmetta that upon the conclusion of Eugene Scheicher's one year probationary period, including the sixty day extension, he shall be appointed to a permanent position with the Helmetta Police Department; and

BE IT FURTHER RESOLVED, that any step increases in Officer Scheicher's pay shall be effective as of his new anniversary date of July 21, 2013.

MOTION – Clmn. Janeczek SECOND – Clmn. Slavicek ROLL CALL: 4 - 0

**RESOLUTION
2013 – 144
PAYMENT OF BILLS**

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

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

**RESOLUTION
2013 – 146
INCREASE IN SALARY FOR JAMES APGAR**

BE IT RESOLVED, that James Apgar be hereby given a \$1.00 per hour increase in his salary for Animal Control/Animal Cruelty Investigation.

MOTION – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 3 - 1

(Ayes: Janeczek, Perez, Vidal Nay: Slavicek)

**ORDINANCE
2013 - 5**

**AN ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND
INFRASTRUCTURE IMPROVEMENTS APPROPRIATING THE SUM OF \$70,000
THEREFORE, 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 has determined to acquire various equipment and make infrastructure improvements; and

WHEREAS, the Borough of Helmetta has \$45,000 in the Capital Improvement Fund and \$25,000 in General Capital Fund Balance.

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

SECTION 1. The purchase described in Section 2 of this ordinance is hereby authorized as a General Capital purchase to be undertaken in and by the Borough of Helmetta, County of Middlesex, New Jersey.

SECTION 2. The acquisition hereby authorized to be undertaken consists of the purchase of various equipment including but not limited to:

- a. Any capital equipment so determined as to be necessary including, but not limited to, computers, printers, police communications equipment, public works equipment and building improvements together with all items necessary, incidental or appurtenant thereto.

SECTION 3. The 2013 General Capital Budget of the Borough of Helmetta is hereby amended to conform to the provisions of this ordinance

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

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

MOTION TO ADOPT – Clmn. Slavicek SECOND – Clmn. Janeczek ROLL CALL: 4 - 0

RESOLUTION
#2013 – 145
AFFIRMATION OF PURCHASE OF EQUIPMENT

BE IT RESOLVED, that the Police Director be authorized to get Police flash upgrades to radios and labor to install for \$9,125.00 and the Fire Dept. to get flash upgrades to radios and labor to install for \$27,750.00. The purchase of 2 mobile radios, one for the Tahoe and one as a base station for Headquarters is needed at the cost estimate of \$7900.00.

MOTION – Clmn. Perez SECOND – Clwmn. Vidal ROLL CALL: 4 - 0

RESOLUTION
#2013 - 148
EXTENSION OF GRACE PERIOD FOR
THIRD QUARTER TAX PAYMENT

WHEREAS, approval of the 2013 taxes from the State for the Borough of Helmetta came after July 15, 2013; and

WHEREAS, as a result the Tax Collector has been unable to timely prepare and mail third quarter bills for payment on August 1, 2013; and

WHEREAS, the Governing Body has been advised by the Tax Collector that the grace period for the payment of third quarter taxes should be extended;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Helmetta that the grace period for the payment of third quarter taxes in the Borough of Helmetta is extended to September 1, 2013.

MOTION TO ADOPT – Clmn. Janeczek SECOND – Clmn. Perez ROLL CALL: 4 - 0

ORDINANCE
2013 – 6
AN ORDINANCE OF THE BOROUGH OF HELMETTA AMENDING
CHAPTER 13 OF THE CODE OF THE BOROUGH OF HELMETTA,
ENTITLED “POLICE DEPARTMENT”

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

WHEREAS, Section 13-1 authorizes the governing body of the Borough to create, amend, modify or abolish by ordinance, such positions of employment as the Governing Body shall from time to time deem necessary and proper; and

WHEREAS, Section 13-6(E) sets forth the eligibility requirements for a promotion to a superior officer; and

WHEREAS, the governing body deems it necessary and proper for the effective and efficient delivery of police services to adopt the Table of Organization as more fully set forth in this Ordinance and add additional promotional eligibility requirements for a promotion to a superior officer, and deems it in the public interest and benefit to do so.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Helmetta, that Chapter 13 of the Borough Code of the Borough of Helmetta entitled "Police Department" is hereby amended as follows:

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

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

Section 13-(1) (8):

The Police Department table of organization may consist of not more than the following positions (not including special police officers), at the sole discretion of the Governing Body of the Borough of Helmetta:

- (1) Police Director (no more than 1)
- (2) Lieutenant
- (3) Sergeant (no more than 2)
- (4) Patrol Officer (no more than 5)

2. Section 13-6(E) (Appointments; Promotions) shall be rescinded and replaced with the following:

Section 13-6(E):

No person shall be eligible for promotion to a superior officer unless:

- (1) They shall have served at least three (3) years as a patrol officer in the Police Department; and
- (2) They shall have served at least the probationary period in the rank immediately inferior to the rank for which promotion is sought; and
- (3) They shall possess at least an associate's degree in police science or related field from an accredited college or university; and
- (4) They shall meet any additional minimum educational requirements established by the appropriate authority and approved by the Borough Council.

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

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

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

MOTION – Clmn. Vidal SECOND – Clmn. Slavicek ROLL CALL: 4 - 0

