

**MEETING OF MAYOR AND COUNCIL
WEDNESDAY – MAY 8, 2013
7:30 P.M.**

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

The meeting was called to order at 7:40 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: ALL PRESENT

ASCIOLLA
JANECZEK
KARCZEWSKI
PEREZ
SLAVICEK
VIDAL

PUBLIC PORTION

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

The meeting of May 22 will be changed to Monday, May 8.

RESOLUTIONS:

2013 - #104 – BILLS PAYABLE AS PER LIST

MOTION – Clmn. Ascioffa SECOND – Clmn. Slavicek

ROLL CALL: 6 – 0

Discussion was held regarding Officer Eugene Scheicher's completion of his probationary period and permanent employment with the Borough Police Department, followed by action, as deemed necessary by the Borough Council. A Rice Notice was sent to Officer Scheicher and it was his choice to have all discussions held in open session. Police Director Bennett stated that although Officer Scheicher is a good Police Officer he cannot give him a full complete 100% recommendation based on information he had and reviewed, some of the issues discussed at the Public Safety Committee meeting and his personnel file.

He made his recommendation in a letter, via e-mail to the Public Safety Committee. Clmn. Karczewski asked if a copy of the letter can be seen. The Public Safety Committee thought it was distributed to all Council members but it was not. At this time the letter was given to each Councilmember to read. A lengthy discussion ensued. Borough Attorney stated he saw the letter and some had to with citizen complaints. Some of the concerns are with his driving and tailgating. Director Bennett is concerned that he could be a liability if he ever has an accident. Director Bennett said Sgt. Messler spoke to him approximately nine times. Most of the complaints were informal. Officer Scheicher was asked why he drives like this and he responded to them that it his style of patrolling. Clwmn. Vidal asked how he gets along with his peers in the Dept. Director Bennett said he was described as he is overbearing and cocky and tries to put himself above them Sgt. Messler was called in and he said that he spoke to Officer Scheicher around four times and he has never seen him tailgate or make u-turns. He said that he won an award for DWI's issued by the Dept. He was asked how many summonses he issued for DWI and he said 14 last year and 3 this year. Sgt. Messler asked if he gets along with his peers and he said they haven't complained to

him about him. Officer Scheicher spoke and said that he thought he got along well with the other Officers as they ask him questions and he helps them with their reports. The way he drives is way of patrolling but if there are concerns, he will make changes. Police Director Bennett said he has nothing against Officer Scheicher and his ability of being a Police Officer, it's the complaints received. The Council recommended extending his probationary period. Officer Scheicher was given the opportunity to speak with his PBA. Eugene Scheicher, Sr., the father of Gene and a retired Police Officer asked to speak. He said being a former Police Officer many people make accusations about things, are there are witnesses. Informal complaints are not valid. Officer Scheicher returned and asked how many extended days of probation would there be. It was the consensus that it be sixty days. During this time he can be observed and if need be make changes to his way of patrolling.

2013 - #103 – APPOINTMENT OF JAMES PARSONS AS FULL TIME POLICE OFFICER

MOTION – Clmn. Karczewski SECOND – Clmn. Asciolla
ROLL CALL: 6 - 0

ORDINANCE # 2013 -3 - First Reading

An Ordinance of the Borough of Helmetta amending the Borough Code in order to establish a procedure for application and issuance of permits for garage, yard, lawn sales and to place certain restrictions upon the holding of a garage, yard, lawn sales in the Borough

MOTION – Clmn. Asciolla SECOND – Clwmn. Vidal
ROLL CALL: 6 - 0

A MOTION was made by Clmn. Asciolla and SECONDED by Clmn. Karczewski to extend his probationary period for sixty (60) days. All were in favor. A resolution will be memorialized at our next meeting on May 20.

ADJOURNMENT

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

RESOLUTION
#2013 - 103

APPOINTMENT OF JAMES PARSONS AS A FULL TIME POLICE OFFICE

BE IT RESOLVED, that James Parsons 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 of January 1, 2014. 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 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. Asciolla ROLL CALL: 6 - 0

RESOLUTION
#2013 – 104

PAYMENT OF BILLS

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

MOTION – Clmn. Ascioffa

SECOND – Clmn. Slavicek

ROLL CALL: 6 – 0

May 2, 2013
10:10 AM

BOROUGH OF HELMETTA
Bill List by Vendor Name

Page No: 1

P.O. Type: All		Open: N		Paid: N		Void: N			
Range: First		Rcvd: Y		Held: Y		Aprv: N			
Format: Detail without Line Item Notes		Bid: Y		State: Y		Other: Y			
				Exempt: Y					
Vendor # Name									
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void	1099
Item Description		Amount	Charge Account	Acct Type Description		Stat/Chk	Enc Date	Date	Invoice
ACT01 ACTION DATA SVC, INC									
13-00432 04/25/13 PAYROLL									
1 PAYROLL		42.13	3-01-20-705-020	B FINANCE OE		R	04/25/13	05/01/13	19153
2 PAYROLL		14.04	3-05-55-500-020	B WATER OPERATING OE		R	04/25/13	05/01/13	19153
3 PAYROLL		14.05	3-07-55-500-020	B SEWER OPERATING OE		R	04/25/13	05/01/13	19153
		70.22							
13-00457 04/29/13 WAGE REPORT/TAXABLE REPORT									
1 WAGE REPORT/TAXABLE REPORT		151.15	3-01-20-705-020	B FINANCE OE		R	04/29/13	05/01/13	19373
2 WAGE REPORT/TAXABLE REPORT		50.38	3-05-55-500-020	B WATER OPERATING OE		R	04/29/13	05/01/13	19373
3 WAGE REPORT/TAXABLE REPORT		50.38	3-07-55-500-020	B SEWER OPERATING OE		R	04/29/13	05/01/13	19373
		251.91							
Vendor Total:		322.13							
AFL01 AFLAC									
13-00431 04/25/13 INSURANCE									
1 DORAN 81578778/81578785		92.58	3-01-23-733-020	B HEALTH INSURANCE EMPLOYEE		R	04/25/13	05/01/13	
2 METZ81578786/PR708612/POB59312		99.00	3-01-23-733-020	B HEALTH INSURANCE EMPLOYEE		R	04/25/13	05/01/13	
3 MESSLER		128.31	3-01-23-733-020	B HEALTH INSURANCE EMPLOYEE		R	04/25/13	05/01/13	
		319.89							
Vendor Total:		319.89							
AUT01 AUTO KING									
13-00368 04/11/13 VEHICLE MAINTENANCE									
1 VEHICLE MAINTENANCE		74.96	3-01-26-315-020	B VEHICLE MAINT-PUBLIC WORKS		R	04/11/13	05/01/13	341060
13-00415 04/17/13 #341123									
1 #341123		11.00	3-01-26-315-020	B VEHICLE MAINT-PUBLIC WORKS		R	04/17/13	05/01/13	341123
13-00441 04/25/13 SILVERSTAR TWIN PACK/ MISC									
1 SILVERSTAR TWIN PACK/ MISC		70.97	3-01-26-315-020	B VEHICLE MAINT-PUBLIC WORKS		R	04/25/13	05/01/13	341403

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Bill List By Vendor Name

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Vendor # Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
AUT01 AUTO KING													
	13-00471	04/29/13	ANCO										
	1		ANCO	31.98	3-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	04/29/13	05/02/13			N
			Vendor Total:	188.91									
CDC01 C & D COMPUTER SUPPLIERS INC													
	13-00446	04/25/13	W-2 ENVELOPES										
	1		W-2 ENVELOPES	19.38	3-01-20-705-020		B FINANCE OE	R	04/25/13	05/01/13		74	N
			Vendor Total:	19.38									
CEN07 CENTRAL JERSEY SECURITY													
	13-00419	04/18/13	2nd qtr 4/1/13 - 6/30/13										
	1		2nd qtr 4/1/13 - 6/30/13	180.00	3-01-43-800-530		B ANIMAL SHELTER - MAINTENANCE	R	04/18/13	05/01/13		73858	N
	2		2nd qtr 4/1/13 - 6/30/13	90.00	3-01-26-772-020		B BUILDINGS & GROUNDS OE	R	04/18/13	05/01/13		73859	N
			Vendor Total:	270.00									
CIE02 CIELESZ, MICHAL													
	13-00426	04/22/13	TRANSPORT 3/15 & 3/22										
	1		TRANSPORT 3/15 & 3/22	775.00	3-01-43-800-541		B ANIMAL SHELTER - Misc	R	04/22/13	05/01/13			N
	13-00477	05/02/13	TRANSPORT 5 ADULT DOGS/9 PUPS										
	1		TRANSPORT 5 ADULT DOGS/9 PUPS	400.00	3-01-43-800-541		B ANIMAL SHELTER - Misc	R	05/02/13	05/02/13			N
			Vendor Total:	1,175.00									
CIE03 CIELESZ, RICH													
	13-00478	05/02/13	WATER PUMP FOR WASH MACH										
	1		WATER PUMP FOR WASHING MACH.	160.34	3-01-43-800-530		B ANIMAL SHELTER - MAINTENANCE	R	05/02/13	05/02/13			N
			Vendor Total:	160.34									
CIR01 CIRCLE JANITORIAL SUPPLIES													
	13-00416	04/17/13	CLEANING SUPPLIES										
	1		CLEANING SUPPLIES	542.06	3-01-43-800-515		B ANIMAL SHELTER - SUPPLIES	R	04/17/13	05/01/13		11940-13	N

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Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/chk	First	Rcvd	Chk/Void	1099
Item Description	Amount	Charge Account	Acct Type Description	Date	Date	Date	Enc Date	Date	Invoice	Excl
EAS09 EAST COAST EMERGENCY LIGHTING										
13-00414 04/17/13 PLUGS										
1 PLUGS	12.00	3-01-27-788-020	B ANIMAL CONTROL OE	R	04/17/13	05/01/13			2970	N
Vendor Total:	12.00									
EXC01 EXCLUSIVE ACCOUNTING SERVICE										
13-00458 04/29/13 QRT PENSION FILING										
1 QRT PENSION FILING	416.91	3-01-20-705-020	B FINANCE OE	R	04/29/13	05/01/13			19263	N
Vendor Total:	416.91									
FOR09 FORD MOTOR CREDIT CO. #5688007										
13-00399 04/15/13 2011 FORD CROWN POLICE										
1 2011 FORD CROWN POLICE	2,071.02	3-01-26-315-025	B LEASE-PURCHASE VEHICLES	R	04/15/13	05/01/13			1072409	N
Vendor Total:	2,071.02									
FOR07 FORD MOTOR CREDIT CO. #5688008										
13-00438 04/25/13 1-2012 DODGE CHARGER 5688008										
1 1-2012 DODGE CHARGER 5688008	38.75	3-01-26-315-025	B LEASE-PURCHASE VEHICLES	R	04/25/13	05/01/13			1072031	N
Vendor Total:	38.75									
GLU01 GLUCK WALRATH LLP										
13-00452 04/29/13 RETAINER 04-027-005										
1 RETAINER 04-027-005	2,080.00	3-01-20-712-020	B LEGAL SERVICES OE	R	04/29/13	05/01/13			29351	N
2 RETAINER 04-027-006	1,747.50	3-01-20-712-020	B LEGAL SERVICES OE	R	04/29/13	05/01/13			29423	N
	3,827.50									
Vendor Total:	3,827.50									
GPS01 GPS ANYPLACE										
13-00330 03/27/13 UNIT 40, 41,42,43										
1 UNIT 40, 41,42,43	105.00	3-01-27-788-020	B ANIMAL CONTROL OE	R	03/27/13	05/01/13			HELMETTA10213G	N
13-00434 04/25/13 MARCH 2013										
1 MARCH 2013	245.00	3-01-27-788-020	B ANIMAL CONTROL OE	R	04/25/13	05/01/13			HELMETTA10313G	N

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BOROUGH OF HELMETTA
Bill List By Vendor Name

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Vendor # Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
GPS01 GPS ANYPLACE	13-00434	04/25/13	MARCH 2013	Continued	Continued								
				90.00	3-01-25-745-020		B POLICE DEPARTMENT OE	R	04/25/13	05/01/13		HELMETTA10313G	N
				335.00									
Vendor Total:				440.00									
BEN01 GREGORY BENNETT	13-00447	04/29/13	REIMBURSE FOR MEALS 4/14/13										
			1 REIMBURSE FOR MEALS 4/14/13	105.18	3-01-25-749-020		B FIRE DEPARTMENT OE	R	04/29/13	05/01/13			N
Vendor Total:				105.18									
HAR05 HARTER EQUIPMENT, INC.	13-00377	04/11/13	VEHICLE MAINTENANCE										
			1 VEHICLE MAINTENANCE	1,491.16	3-01-26-315-020		B VEHICLE MAINT-PUBLIC WORKS	R	04/11/13	05/01/13		558210	N
Vendor Total:				1,491.16									
HOM03 HOME NEWS & TRIBUNE	13-00379	04/11/13	ORD 2013-3										
			1 ORD 2013-3	27.30	3-01-20-120-020		B MUNICIPAL CLERK OE	R	04/11/13	05/01/13		0101719368	N
			2 ORD 2013-2	28.60	3-01-20-120-020		B MUNICIPAL CLERK OE	R	04/11/13	05/01/13		0101719364	N
			3 FINAL ADOPTION	7.80	3-01-20-120-020		B MUNICIPAL CLERK OE	R	04/11/13	05/01/13		0101719359	N
				63.70									
Vendor Total:				63.70									
INS01 INST FOR FORENSIC PSYCHOLOGY	13-00382	04/11/13	PSYCH SCREENING-SCHWARTZ										
			1 PSYCH SCREENING-SCHWARTZ	425.00	3-01-25-745-020		B POLICE DEPARTMENT OE	R	04/11/13	05/01/13		5903	N
Vendor Total:				425.00									
LOC03 LOCAL UNION 210	13-00455	04/29/13	CIELESZ, M-MAY										
			1 CIELESZ, M-MAY	92.00	3-01-26-765-020		B STREETS & ROADS OE	R	04/29/13	05/01/13			N
			2 CIELESZ, R-MAY	92.00	3-01-26-765-020		B STREETS & ROADS OE	R	04/29/13	05/01/13			N

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Total Purchase Orders:	52	Total P.O. Line Items:	78	Total List Amount:	98,806.15	Total Void Amount:	0.00
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Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total
CURRENT FUND	2-01	9,259.61	0.00	9,259.61	0.00
CURRENT FUND	3-01	20,101.20	0.00	20,101.20	0.00
WATER OPERATING FUND	3-05	12,948.38	0.00	12,948.38	0.00
SEWER OPERATING FUND	3-07	48,356.43	0.00	48,356.43	0.00
Year Total:		81,406.01	0.00	81,406.01	0.00
GRANT FUND	G-02	348.14	0.00	348.14	0.00
BUILDERS' ESCROW FUND	T-14	7,792.39	0.00	7,792.39	0.00
Total of All Funds:		98,806.15	0.00	98,806.15	0.00

**ORDINANCE
2013 - 04**

**AN ORDINANCE OF THE BOROUGH OF HELMETTA AMENDING THE BOROUGH
CODE IN ORDER TO ESTABLISH A PROCEDURE FOR APPLICATION AND
ISSUANCE OF PERMITS FOR GARAGE, YARD, LAWN SALES AND TO PLACE
CERTAIN RESTRICTIONS UPON THE HOLDING OF GARAGE, YARD, LAWN
SALES IN THE BOROUGH**

37.1 Purpose.

It has come to the attention of the Borough Council that there are being conducted in the Borough numerous garage sales at the same sites throughout the course of each year where new and/or used items are being offered for sale. As a result, parties are engaging in a commercial enterprise in residential neighborhoods adversely affecting the character of the residential neighborhood and traffic. The purpose of this section is to place certain restrictions upon garage sales so that they are limited to Borough residents at residential properties and which would prohibit garage sales from being used for commercial purposes.

37.2 Definitions.

As used in this section:

Garage sale shall mean a public sale of used personal property at a residential property in the municipality, which personal property is owned by the resident of the property where the sale is held, and which sale is commonly referred to as a "garage, yard, porch, attic, basement or lawn sale."

Resident shall mean:

a. A tenant of a residential property, located in the Borough who resides at the property, or a person who is over the age of eighteen (18) years, and a member of the immediate family of the tenant, and who resides at the property; or

b. An owner of a residential dwelling named in the deed granting title to the property and who resides at the property, or a person who is over the age of eighteen (18) years and a member of the immediate family of the person named on the deed and who resides at the property.

Property or residential dwelling or residential property shall mean a residential dwelling, a condominium unit, a townhouse or an apartment in a one (1) to four (4) family residential dwelling, apartment building or complex.

37.3 Restrictions.

a. Any person who is not a resident of the Borough of Helmetta shall not conduct a garage sale at any time at any place in the Borough.

b. Any resident of the Borough of Helmetta over the age of eighteen (18) years may conduct a garage sale only in accordance with the provisions of this section.

c. No garage sale shall be held except at a residential property as defined in this section.

37.4 Application Permit.

Any resident wishing to conduct a garage sale shall apply, in writing, to the Borough Clerk for a garage sale permit at least two (2) business days prior to the date the resident wishes to conduct the garage sale. The application shall be in the form prescribed by the Borough Clerk. There shall be no fee for the application or the issuance of the permit. Upon a proper application being filed, the Borough Clerk shall issue to the resident a permit to conduct the garage sale. The permit shall provide the sale dates and the date for any additional one (1) day that may be required due to

the cancellation of one of the sale dates ("rain date") and the location of the garage sale. The permit shall be prominently displayed at the site of the garage sale.

37.5 Limitations.

- a. A resident or members of his or her immediate family shall be limited to no more than three (3) garage sale permits in any one (1) calendar year at the same residential property.
- b. A garage sale shall not commence earlier than 8:00 a.m. and end not later than 5:00 p.m. on any calendar day, and shall not be conducted for more than three (3) consecutive days, or three (3) days in total including the rain date.
- c. A garage sale shall not be held on any day, or at any property, not listed in the garage sale permit.
- d. Garage sales shall be conducted within the property lines of the residential property and items offered for sale at garage sales shall not be placed on any sidewalk, street or public right-of-way.
- e. No garage sale in an apartment complex, condominium complex, townhouse complex, or other similar type of residential complex shall be held in an area of the property which would impede or interfere with the ingress or egress of pedestrian or vehicular traffic, to and from, and within the complex.

37.6 Consent of Landlord Homeowners Association/Owner.

In the event the resident seeking a garage sale permit is a tenant or is an owner or tenant where the residential property is subject to a homeowners association or an adult resident who is in the immediate family of the owner or the tenant, then, in that event, the resident's application for the garage sale permit must contain the written consent of the landlord, and/or the consent of the homeowners association, and/or the owner respectively and written consent shall be attached to the application to the Borough Clerk for the garage sale permit.

37.7 Utility Poles.

It is a violation to post signs or posters on utility poles advertising a sale.

37.8 Penalties.

Any person or persons found guilty of violating this section shall be subject to a fine of not less than twenty five (\$25.00) dollars for the first offense nor more than one hundred (\$100.00) dollars for the second or subsequent offense. Each day that such sale shall continue without being duly licensed is considered a separate violation

37.89 Enforcement.

This section shall be enforced by the Police Department and/or the Zoning and Building Department.

PLEASE PRINT/COMPLETE AND BRING INTO
HELMETTA MUNICIPAL CLERKS OFFICE FOR PERMIT

BOROUGH OF HELMETTA
51 Main Street
Helmetta, New Jersey 08828

APPLICATION/PERMIT TO HOLD A GARAGE / YARD / LAWN SALE

Pursuant to Township Ordinance (Chapter IV, Section 4-18), a resident (defined as an owner or tenant, or a member of the owner or tenants immediate family, of a residential property who resides at said property and is at least 18 years of age) shall be limited to no more than three (garage, yard, lawn) sale permits in anyone calendar year at the same residential property and shall not be conducted for more than three consecutive days, or three days in total, including rain date(s). Residents shall apply for this permit at least two (2) business days prior to the date of garage, yard, or lawn sale. Any person found guilty of violating this Ordinance shall be subject to a fine of no more than \$500.00 for the first offense and not less than \$100.00 nor more than \$1,000.00 for the second or subsequent offense.

1. RESIDENT NAME:

2. RESIDENT ADDRESS: _____

3. RESIDENT PHONE NO .. _____

4. DATE(S) OF GARAGE SALE:

5. RAIN DATE(S):

(to be used only in the event of inclement weather (see below [**] for instructions)

* Sale shall not commence earlier than 8:00 a.m. and end not later than 5:00 p.m.
on any calendar day.

** If your Sale is cancelled due to inclement weather, it must be reported to the Municipal Clerk's Office @ 732-521-4946 x100 on the first business day following the sale to advise of cancellation.

*** New items are prohibited from being sold.

**** As per Township Ordinance (Chapter III, Section 3-1.7), it is a VIOLATION to post signs or posters on utility poles advertising a sale.

PERMIT MUST BE POSTED IN FRONT OF RESIDENCE AND VISIBLE FROM STREET

Sandra Bohinski, RMC, CMR
Municipal Clerk

PERMIT NO. _____

DATE ISSUED _____
