

**MEETING OF MAYOR AND COUNCIL
JUNE 7, 2010 - 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 Martin at 7:25 p.m. Adequate notice of this meeting was provided as is required by the Open Public Meetings Law with advertising in the Home News Tribune and posting on the bulletin board. All present Pledged Allegiance to the Flag.

*** CALLING OF THE ROLL:**

Cmn. Peckham – Present
Asciolla – Absent
Janeczek – Present
Karczewski – Present
Perez – Present
Smith – Present

*** PUBLIC PORTION**

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

*** CONSENT AGENDA – RESOLUTION # 2010 - 130**

Reports of Municipal Clerk, Utility Revenue Collector

RESOLUTIONS:

- 122 – Resolution of the Borough of Helmetta authorizing Remington, Vernick & Vena to prepare amendments to the redevelopment plan for the Helme Mill Redevelopment area in an amount not to exceed \$200.00
- 123 – Resolution of the Borough of Helmetta directing the Helmetta Planning Board to prepare amendments to the redevelopment plan for the Helme Mill Redevelopment area
- 124 – Resolution of the Borough of Helmetta authorizint Remington, Vernick & Vena to apply for a grant from the Middlesex County Economic Development sustainability program
- 125 – Resolution of intent of the Borough of Helmetta to purchase Parcel 5 of the Helme Redevelopment area located on Block 13, Lots 38.02 and 39.02 in the Borough
- 126 – Resolution authorizing submittal of an application for a grant from the Hazardous Discharge Site Remediation Fund
- 127 – Resolution supporting redevelopment study of Parcel 5
- 128 – 2010 COPS Hiring Program
- 129 – Amendment #1 to 2010 Municipal Budget

REPORT OF MUNICIPAL CLERK

MAY, 2010	Copies	Marriage License	Recycling	Towing	Lndlrd Reg	Plng Bd	Lice
Markowski							
\$100.00	100				\$100.00		
Leao	100				\$100.00		

Helmetta Fire					
130.00	re	130.00			<u>\$13</u>
Tancredi		100		\$100.00	
Lunney		100		\$100.00	
Martin		10	\$10.00		
Karpinski		100		<u>\$100.00</u>	
Domis		10	<u>\$10.00</u>		
Krypel		\$9.95		<u>\$9.95</u>	
TOTAL		\$659.95	\$20.00	\$9.95	\$500.00
Dog and Cat Licenses		\$38.00			\$13

Water/Sewer Receipts Report

May 2010

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2007 Principal	\$ -	\$ -	\$ -
2008 Principal	105.91	306.66	412.57
2009 Principal	1,664.88	1,790.13	3,455.01
2010 Principal	<u>32,377.69</u>	<u>36,350.58</u>	<u>68,728.27</u>
Subtotal	34,148.48	38,447.37	72,595.85
Interest	<u>143.53</u>	<u>153.58</u>	<u>297.11</u>
Subtotal	34,292.01	38,600.95	72,892.96
Final Water Reads	40.00	-	40.00
Returned Checks	52.05	99.00	151.05
Payment Reversal	-	-	-
NSF Bank Fees	-	-	-
Connection Fee	-	-	-
Water Turn-on Fee	-	-	-
Transfer in from Tax	-	-	-
Transfer out	<u>-</u>	<u>-</u>	<u>-</u>
Total Deposits	<u>\$34,384.06</u>	<u>\$ 38,699.95</u>	<u>\$ 73,084.01</u>

Carol Feig
Utility Revenue Collector

#2010 - 124

RESOLUTION OF THE BOROUGH OF HELMETTA AUTHORIZING REMINGTON, VERNICK AND VENA TO APPLY FOR A GRANT FROM THE MIDDLESEX COUNTY ECONOMIC DEVELOPMENT SUSTAINABILITY PROGRAM

WHEREAS, the County of Middlesex (the “County”) has established an Economic Development Sustainability Grant Program (the “Grant”) through which it provides monies to municipalities within the County to be used for energy efficient purposes, sustainability and “green” initiatives; and

WHEREAS, the Borough of Helmetta (the “Borough”) plans to undertake a redevelopment project in which it desires to utilize high performance/energy efficient initiatives; and

WHEREAS, the Borough desires to authorize Remington, Vernick & Vena (“RVV”) to apply for the Grant to be used for the “green” redevelopment of Parcel 5 of the Helme Mill Redevelopment Project.

NOW, THEREFORE, BE IT RESOLVED by Borough Council of the Borough of Helmetta that Remington, Vernick & Vena is hereby authorized to perform services, in an amount not to exceed \$200.00, which are necessary to apply for a grant from the Middlesex County Economic Development Sustainability Grant Program to be used for the “green” redevelopment of Parcel 5 of the Helme Mill Redevelopment Project.

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

- a. Remington, Vernick & Vena
- b. Lori Russo, Borough Chief Financial Officer

**RESOLUTION
2010 – 125**

RESOLUTION OF INTENT OF THE BOROUGH OF HELMETTA TO PURCHASE PARCEL 5 OF THE HELME MILL REDEVELOPMENT AREA LOCATED ON BLOCK 13, LOTS 38.02 AND 39.02 IN THE BOROUGH

WHEREAS, Kaplan at Helmetta, LLC (“Kaplan”) was previously designated as the redeveloper of the Helme Mill Redevelopment Area (the “Redevelopment Area”); and

WHEREAS, the Borough of Helmetta (the “Borough”) subsequently contacted Kaplan and sought Kaplan’s consent to terminate Kaplan’s designation as the redeveloper

for Parcel 5 and to amend the redevelopment agreement in order to terminate Kaplan's rights and obligations with regard to the redevelopment of Parcel 5 so that the Borough may purchase Parcel 5 and develop it as the site of an animal shelter; and

WHEREAS, Kaplan has consented to its termination as the redeveloper for Parcel 5 and to the amendment of the redevelopment agreement to terminate its rights and obligations with regard to the redevelopment of Parcel 5; and

WHEREAS, it is known that Parcel 5 is environmentally contaminated; and

WHEREAS, the Borough desires to secure funds prior to its acquisition of Parcel 5 in order to remediate the property; and

WHEREAS, the Borough intends to apply for aid in the form of a grant in order to pay for the costs of remediation.

NOW, THEREFORE, BE IT RESOLVED by Borough Council of the Borough of Helmetta that the Borough hereby intends to purchase Parcel 5 of the Helme Mill Redevelopment Area located on Block 13, Lots 38.02 and 39.02 in the Borough in order to develop it as the site of an animal shelter.

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

- a. David A. Clark, Borough Attorney

**RESOLUTION
#2010 - 126**

**RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION FOR A
GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND**

WHEREAS, the Borough of Helmetta has a number of potential brownfield properties that have the potential for environmental liability associated with historic soil and/or groundwater contamination and the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority has a grant program available known as the Hazardous Discharge Site Remediation Fund that provides grants to municipalities to perform environmental investigations of these sites and where as the Parcel 5 property consisting of Block 13, Lot 39.02 is a site eligible to receive a grant from this Fund;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that Remington, Vernick & Vena is authorized to prepare a grant application for Block 13, Lot 39.02

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

**RESOLUTION
#2010 - 127**

Resolution Supporting Redevelopment Study of the Parcel 5

WHEREAS, the Governing Body intends on redeveloping the property known as the Parcel 5 property and including Block 13, Lot 39.02

WHEREAS, the Governing Body has determined that there has been, or it suspects that there has been a discharge of hazardous substances or a hazardous waste on the Property.

WHEREAS, the Borough of Helmetta owns this lots

WHEREAS, the Borough of Helmetta is applying from the Hazardous Discharge Site Fund for funding for the assessment and investigation of Parcel 5 in order to determine the extent or the existence of any hazardous substance or hazardous waste.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of Helmetta, Middlesex County, State of New Jersey, that Helmetta is committed to the redevelopment of Parcel 5 and finds that a realistic opportunity exists for the redevelopment of Parcel 5 within a three year period after the completion of the remediation of this site.

**RESOLUTION
#2010 – 128**

2010 COPS Hiring Program

BE IT RESOLVED, by the Governing Body of the Borough of Helmetta that Nancy Martin, Mayor of the Borough of Helmetta and Cully Lewis, Chief of Police of the Borough of Helmetta are hereby authorized to complete the grant application and apply for the FY 2010 COPS Hiring Program.

BOROUGH OF HELMETTA
AMENDMENT TO 2010 MUNICIPAL BUDGET

WHEREAS, the Local Municipal Budget for the year 2010 was introduced on the 28th day of April, 2010;

WHEREAS, the public hearing on said Budget has been held as advertised; and

WHEREAS, the Mayor and Council is desirous to amend said budget; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Helmetta, County of Mercer, New Jersey, that the following amendments to the approved budget for 2010 be made:

RECORDED VOTE:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Asciolla				
Janeczek				
Karczewski				
Peckham				
Perez				
Smith				

<u>CURRENT FUND</u>	<u>From</u>
<u>GENERAL REVENUES</u>	

3. Miscellaneous Revenues:	
Section A: Local Revenues:	
Fees and Permits	\$ 1,000.00
Interest and costs on Taxes	\$ <u>8,500.00</u>
Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:	
Alcohol Education and Rehabilitation Fund - Reserved	\$ <u>0.00</u>
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues	\$ <u>11,927.30</u>

Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items:

Surplus Anticipated - Helmetta Board of Education \$ 50,500.00

Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items \$ 121,213.40

Summary of Revenues:

Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues \$ 11,927.30

Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items \$ 121,213.40

Total Miscellaneous Revenues \$ 444,576.70

5. Subtotal General Revenues (Items 1, 2, 3 and 4) \$ 760,576.70

7. Total General Revenues \$ 1,875,433.00

8. General Appropriations:

(A) Operations - Within "CAPS":

GENERAL GOVERNMENT FUNCTIONS:

LAND USE ADMINISTRATION:

Municipal Land Use Law (NJSA 44D-1):

Planning Board:

Other Expenses - Legal \$ 10,000.00

PUBLIC SAFETY FUNCTIONS:

Police:

Salaries and Wages \$ 404,500.00

INSURANCE:

Employee Group Insurance (Health) \$ 99,424.00

Unemployment, Disability Insurance \$ 3,000.00

Uniform Construction Code - Appropriations Offset by Dedicated Revenues (N.J.A.C. 5:23-4.17)

Construction Official (Chief Admin. Of Enforcement Agency):

Salaries and Wages \$ 5,700.00

	Total Operations {Item 8(A)} within "CAPS"	\$ <u>1,258,994.00</u>
	Total Operations Including Contingent - within "CAPS"	\$ <u>1,259,494.00</u>
	Detail:	
	Salaries and Wages	\$ <u>622,560.00</u>
	Other Expenses (Including Contingent)	\$ <u>636,934.00</u>
(E)	Deferred Charges and Statutory Expenditures - Municipal within "CAPS":	
	(2) Statutory Expenditures:	
	Contribution to:	
	Social Security System (O.A.S.I.)	\$ <u>50,000.00</u>
	Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	\$ <u>116,848.00</u>
(H-1)	Total General Appropriations for Municipal Purposes within "CAPS"	\$ <u>1,376,342.00</u>
(A)	Operations - Excluded from "CAPS":	
	Other Operations - Excluded from "CAPS":	
	INSURANCE:	
	Employee Group Insurance (Health) (P.L.2007 c.62)	\$ <u>11,576.00</u>
	Total Other Operations - Excluded from "CAPS"	\$ <u>19,576.00</u>
	Public and Private Programs Offset by Revenues:	
	Alcohol Education and Rehabilitation	\$ 0.00
	Matching Funds for Grants	\$ <u>0.00</u>
		\$ <u>11,927.30</u>
	Total Operations - Excluded from "CAPS"	\$ <u>156,005.30</u>
	Detail:	
	Other Expenses	\$ <u>128,005.30</u>
(C)	Capital Improvements - Excluded from "CAPS":	
	Reserve for Acquisition of Police SUV	\$ 0.00
	Reserve for Acquisition of Animal Control Van	\$ 10,000.00
	Down Payment on Improvements	\$ 0.00
	Reserve for Down Payment on Improvements	\$ 50,000.00

	Total Capital Improvements Excluded from "CAPS"	\$ <u>80,000.00</u>
(H-2)	Total General Appropriations for Municipal Purposes Excluded from "CAPS"	\$ <u>346,429.40</u>
(O)	Total General Appropriations - Excluded from "CAPS"	\$ <u>346,429.40</u>
(L)	Subtotal General Appropriations {Items (H-1) and (O)}	\$ <u>1,722,771.40</u>
9.	Total General Appropriations	\$ <u><u>1,875,433.00</u></u>
Summary of Appropriations:		
	Total General Appropriations	\$ <u><u>1,875,433.00</u></u>

BE IT FURTHER RESOLVED that this budget amendment be published in the Home News & Tribune 17, 2010 and that a public hearing on this amendment will be held at the Municipal Building, 60 Main Street, Helmetta, Middlesex County, New Jersey on June 23, 2010 at 7:30 P.M. at which time and place objections presented by taxpayers or other interested persons.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the office of the Local Government Services for his/her certification of the 2010 Local Municipal Budget, so amended.

IT IS HEREBY CERTIFIED that this is a true copy of a resolution amending the Budget, introduced by the Board of Municipal and County Government on the 7th day of June 2010.

DATED: June 7, 2010

ATTEST:

Sandra Bohinski, Borough Clerk
Borough of Helmetta

Resolutions # 122 & 123 were pulled from the Consent Agenda. A very lengthy discussion ensued on the pros and cons of the animal shelter. A concern was the cost of running the shelter. It was decided that Finance Chairperson Joseph Perez will do a study on the cost to run the shelter and will come back with his findings at the next meeting.

MOTION – Clmn. Peckham SECOND – Clmn. Janeczek
ROLL CALL: 5 - 0

RESOLUTION
#2010 - 122

**RESOLUTION OF THE BOROUGH OF HELMETTA
AUTHORIZING REMINGTON, VERNICK & VENA TO
PREPARE AMENDMENTS TO THE REDEVELOPMENT PLAN
FOR THE HELME MILL REDEVELOPMENT AREA IN AN
AMOUNT NOT TO EXCEED \$200.00**

WHEREAS, the Helme Mill Redevelopment Area has been designated as an area in need of redevelopment by the Borough pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the “LRHL”); and

WHEREAS, the Borough previously adopted a redevelopment plan governing the Helme Mill Redevelopment area (the “Redevelopment Plan”); and

WHEREAS, the Borough wishes to develop Parcel 5 of the Helme Mill Redevelopment Area as an animal shelter; and

WHEREAS, the existing Redevelopment Plan does not allow for the development of Parcel 5 with an animal shelter; and

WHEREAS, the Borough wishes to amend the Redevelopment Plan so that an animal shelter is a permitted use on Parcel 5; and

WHEREAS, the Borough Council has directed the Borough Planning Board to prepare amendments to the Redevelopment Plan so that an animal shelter is a permitted use on Parcel 5; and

WHEREAS, the Borough wishes to authorize Remington, Vernick & Vena to prepare the amendment to the Redevelopment Plan so that an animal shelter is a permitted use on Parcel 5.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that Remington, Vernick & Vena Engineers is hereby authorized to perform professional services to prepare an amendment to the redevelopment plan for the Helme Mill Redevelopment Area so that an animal shelter is a permitted use on Parcel 5 in an amount not to exceed \$200.00.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has executed a Certification of Funds, which is attached hereto, and that sufficient funds are available for said feasibility study from Account Number 0-01-20-715-020.

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

- a. Remington, Vernick and Vena Engineers
- b. Borough Chief Financial Officer

MOTION – Clmn. Peckham SECOND – Clmn. Janeczek
ROLL CALL: 4 - 1

**RESOLUTION
2010 – 123**

**RESOLUTION OF THE BOROUGH OF HELMETTA DIRECTING
THE HELMETTA PLANNING BOARD TO PREPARE
AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE
HELME MILL REDEVELOPMENT AREA**

WHEREAS, the Helme Mill Redevelopment Area has been designated as an area in need of redevelopment by the Borough of Helmetta (the “Borough”) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the “LRHL”); and

WHEREAS, the Borough previously adopted a redevelopment plan governing the Helme Mill Redevelopment area (the “Redevelopment Plan”); and

WHEREAS, the Borough wishes to develop Parcel 5 of the Helme Mill Redevelopment Area as an animal shelter; and

WHEREAS, the existing Redevelopment Plan does not allow for the development of Parcel 5 with an animal shelter; and

WHEREAS, the Borough entered into an amended redevelopment agreement with Kaplan at Helmetta, LLC (“Kaplan”) terminating Kaplan’s rights and obligations as to Parcel 5 so that the Borough could redevelop Parcel 5 as an animal shelter; and

WHEREAS, the Borough wishes to amend the Redevelopment Plan so that an animal shelter is a permitted use on Parcel 5.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Helmetta Planning Board is directed pursuant to N.J.S.A. 40A:12A-7f to prepare an amendment to the Redevelopment Plan so that an animal shelter is a permitted use on Parcel 5 and to thereafter transmit the amended Redevelopment Plan, along with any additional recommendations in accordance with N.J.S.A. 40A:12A-7, to the Borough Council.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be

provided to each of the following:

- a. Clerk, Helmetta Planning Board
- b. James F. Clarkin, Esq., Planning Board Attorney
- c. Bret Kaplan, Esq., Kaplan at Helmetta, LLC

MOTION – Clmn. Peckham SECOND – Clmn. Smith
ROLL CALL: 4 – 1

*** REPORTS OF MAYOR, BOROUGH ATTORNEY, COMMITTEES**

Mayor and Borough Attorney had no reports. Clmn. Smith reported that the Fishing Derby went well. All in attendance had a good time. B & K Landscapers provided the food and a thank you note will be sent to them. Clmn. Smith suggested that next year participation medals be bought. We also ordered two more trophies for the most fish caught.

BOROUGH OF HELMETTA
MEETING OF MAYOR AND COUNCIL
JUNE 7, 2010

*** FIRST READING OF ORDINANCES**

ORDINANCE
#2010-15

AN ORDINANCE OF THE BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR VARIOUS IMPROVEMENTS AND OTHER RELATED EXPENSES TO LAND LOCATED IN THE BOROUGH TO PROVIDE FOR AN ANIMAL SHELTER IN AND FOR THE BOROUGH OF HELMETTA AND APPROPRIATING \$1,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,140,000 IN BONDS OR NOTES OF THE BOROUGH OF HELMETTA TO FINANCE THE SAME.

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

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Helmetta, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$1,200,000, including the sum of \$60,000 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of the provision for down payment in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,140,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the refurbishment, rehabilitation, acquisition and remediation of property known as Block 13, Lots 38.02 and 39.02 on the tax maps of the Borough, and including all fixtures, furnishings, equipment, machinery, apparatus, work materials and appurtenances necessary and suitable therefore or incidental thereto for the facility to be utilized as an animal shelter at said site.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall

mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purposes described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No parts of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,140,000, that the net debt of the Borough determined as provided in the Local Bond Law is increased by \$1,140,000, and the obligations authorized herein will be within all debt limitation prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The Borough reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or

notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the Borough Council, the Borough Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The Borough Council of the Borough hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated there under (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required there under.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

MOTION – Clmn. Peckham **SECOND** – Clmn. Smith
ROLL CALL: 4 - 1

ORDINANCE
2010-16

**CAPITAL ORDINANCE AUTHORIZING THE
APPROPRIATION OF \$20,000 FOR THE PURCHASE OF
AN ANIMAL CONTROL VAN IN THE BOROUGH OF
HELMETTA, COUNTY OF MIDDLESEX, STATE OF NEW
JERSEY.**

WHEREAS, the Borough of Helmetta has entered into additional interlocal agreements to provide animal control services; and

WHEREAS, the Borough of Helmetta has the need for an additional animal control van; and

WHEREAS, funds were provided for in the 2009 and 2010 budget as a reserve for the acquisition on an animal control van in the amount of \$20,000.

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

Section 1. There is appropriated \$20,000 for the purchase of equipment listed below which is hereby authorized as a capital purchase by the Borough of Helmetta.

Section 2. The purpose for which this appropriation is authorized is the purchase of a new animal control van for use by the Animal Control Officers in the Borough of Helmetta.

Section 3. The appropriation authorized above shall be funded completely from funds set aside for such purpose.

Section 4. The Governing Body of the Borough of Helmetta hereby certifies and assures that all of the required assurances which are necessary for such State and Municipal funding for the project have been or shall be met.

Section 5. This project will be included in the capital budget in the final adopted budget for 2010.

Section 6. This Ordinance shall take effect following its advertisement, public hearing and adoption in accordance with the requirements of law.

Section 7. 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.

Section 8. All Ordinances or parts of Ordinances inconsistent herewith are repealed, but only to the extent of such inconsistency.

MOTION – Clmn. Peckham SECOND – Clmn. Janeczek
ROLL CALL: 5 - 0

ORDINANCE NO.
2010-17

**AMENDING CAPITAL ORDINANCE NO. 2009-16
AUTHORIZING THE APPROPRIATION OF \$30,000
FOR THE ACQUISITION OF A POLICE SUV IN
THE BOROUGH OF HELMETTA, COUNTY OF
MIDDLESEX, STATE OF NEW JERSEY**

WHEREAS, the Council of the Borough of Helmetta (“Council”) desires to purchase an SUV for the Police Department; and

WHEREAS, the Council appropriated Thirty Thousand Dollars (\$30,000) for the acquisition; and

WHEREAS, additional funds are needed to complete the acquisition; and

WHEREAS, the Council will contribute an additional \$2,000.00 from the current fund 2010 budget to cover additional related expenses.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Helmetta, in the County of Middlesex and State of New Jersey, that Ordinance 2009-16 is amended to read as follows:

Section 1. The improvements described below are hereby authorized as a general improvement to be made by the Borough of Helmetta, New Jersey.

Section 2. There is hereby appropriated for the improvements the sum of One Hundred Sixty Eight Thousand and Three Hundred Dollars (\$32,000) as follows:

- a. Twenty Thousand Dollars (\$20,000.00) from Reserve for Police SUV; and
- b. Ten Thousand Dollars (\$10,000) from the General Capital Improvement Fund; and
- c. Two Thousand Dollars (\$2,000.00) from the Current Fund 2010 Budget.

Section 3. The improvement for which this appropriation is authorized is the acquisition of an SUV for the Police Department in the Borough of Helmetta.

Section 4. The appropriation authorized above shall be funded completely from revenues received from either State and Municipal governments under grant funds already received or funds set aside for such purpose.

Section 5. The Governing Body of the Borough of Helmetta hereby certifies and assures that all of the required assurances which are necessary for such State and Municipal funding for the project have been or shall be met.

Section 6. This project will be included in the capital budget in the final adopted budget for 2010

Section 7. This Ordinance shall take effect following its advertisement, public hearing and adoption in accordance with the requirements of law.

MOTION – Clmn. Smith SECOND – Clmn. Peckham

ROLL CALL: 5 – 0

**BOROUGH OF HELMETTA
ORDINANCE NO. 2010 – 18**

AN ORDINANCE AMENDING CHAPTER 39 (HOUSING STANDARDS) OF THE CODE OF THE BOROUGH OF HELMETTA IN ORDER TO PROHIBIT THE EXISTENCE OF BOARDINGHOUSES, ROOMING HOUSES, AND ROOMING UNITS WITHIN THE BOROUGH

WHEREAS, N.J.S.A, 40:48-2.12a authorizes the governing body of any municipality to make, amend, repeal and enforce ordinances to regulate buildings and structures and their use and occupation, to prevent and abate conditions therein harmful to the health and safety of the occupants of said buildings and structures and the general public in the municipality; and

WHEREAS, the General Code of the Borough of Helmetta (“Code”) presently contains Chapter 39 “Housing Standards”; and

WHEREAS, the Borough Council has determined that it is appropriate to amend that section of the Code in order to prohibit the existence of boardinghouses or rooming houses within the Borough.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED by the Borough Council of the Borough of Helmetta that Chapter 39 of the General Code of the Borough of Helmetta be and hereby is amended to remove any reference to “boardinghouses,” “rooming houses,” and “rooming units.”

BE IT FURTHER ORDAINED, 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.

BE IT FURTHER ORDAINED, all Ordinances or parts of Ordinances inconsistent herewith are repealed, but only to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

MOTION – Clmn. Peckham SECOND – Clmn. Janeczek

ROLL CALL: 5 – 0

**BOROUGH OF HELMETTA
ORDINANCE NO. 2010 – 19**

**AN ORDINANCE OF THE BOROUGH OF HELMETTA PROHIBITING
BOARDINGHOUSES AND ROOMING HOUSES AS CONDITIONAL OR
PERMITTED USES IN ANY ZONE WITHIN THE BOROUGH**

MOTION – Clmn. Smith SECOND – Clmn. Peckham

ROLL CALL: 5 - 0

There being no further business, a MOTION to adjourn was made by Clmn. Peckham and SECONDED by Clmn. Smith to adjourn the meeting at 8:55 p.m. All were in favor.

Sandra Bohinski
Sandra Bohinski, RMC
Municipal Clerk