

**MEETING OF MAYOR AND COUNCIL  
OCTOBER 14, 2010 - 7:00 PM**

**\* MEETING CALLED TO ORDER \* STATEMENT REGARDING OPEN PUBLIC MEETING FLAG**

The meeting was called to order at 7:30 p.m. by Mayor Martin. Adequate notice of this meeting was required by the Open Public Meetings Law with advertising in the Home News bulletin board. All present Pledged Allegiance to the Flag.

**\* CALLING OF THE ROLL:**

Clmn. Peckham - Present  
Asciolla - Present  
Janeczek - Present  
Karczewski - Absent  
Perez - Present  
Smith - Present

**\* PUBLIC PORTION**

There being no one from the Public who wished to speak, the meeting was closed.

**\* CONSENT AGENDA - RESOLUTION # 2010 - 198**

- Report of Municipal Clerk and Tax Collector
- 2010 - 185 Resolution authorizing execution of agreement with Xtel Communications for 12 months for telephone service
  - 2010 - 186 Payment of bills
  - 2010 - 187 Resolution of the Borough of Helmetta appointing Raymond Hayco disciplinary proceedings against Patrolman Richard Bruno
  - 2010 - 188 Appointment of Class II Special Police Officer Phillip Joseph Esposito
  - 2010 - 189 Authorization for the purchase of a new 2011 Ford Crown Victoria with lease options under State Contract #A72467
  - 2010 -190 Final Payment to Michael V. Testa, LLC
  - 2010 -191 Resolution of the Borough of Helmetta rejecting all bids for the animal shelter project on Block 13, Lot 39.02
  - 2010 -192 Resolution of the Borough of Helmetta conditionally Redeveloper for Block 13, Lot 39.02 within the Helme Mill Redevelopment area: site as an animal shelter
  - 2010 -193 Resolution authorizing the Borough of Helmetta to apply for a loan from Agriculture to obtain funding to build an animal shelter in the Borough
  - 2010 -194 Emergency Resolution - N.J.S.A. 40A:4-48
  - 2010 -195 Capital Budget Amendment No. 1
  - 2010 -196 Authorization for Mayor to sign Middlesex County grant application

It was requested that Resolutions # 192, 193, 194 and 195 be pulled from the agenda.

Rasmusse	\$28.00		\$25.00	\$3.00	
n					
Volkmann	\$28.00		<u>\$25.00</u>	<u>\$3.00</u>	
Premier Pole	\$10.00				<u>\$10.00</u>
Pawlowski	<u>\$8.00</u>	<u>\$8.00</u>			
<b>TOTAL</b>	\$74.00	\$8.00	\$50.00	\$6.00	\$10.00
DOG AND CAT LICENSE		\$23.00			

## Borough of Helmetta

### REPORT OF THE TAX COLLECTOR

Denise Jawidzik

Denise Jawidzik

Tax Collector

Month of: September, 2010

Dated: October 4, 2010

Taxes - 2009	\$	16,535.60
Taxes - 2010	\$	928,473.35
Taxes - 2011	\$	4,341.73

### ADJUSTMENTS

Interest	\$	4,704.19
Costs		
Tax search		
Return Check fee		
Search Printouts		
Duplicate Bill Fee	\$	90.00

Misc.

TOTAL	\$	954,144.87
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### Closing Balances

	Debit	Credit
Tax	\$	
2009	33,614.53	
Tax	\$	
2010	1,332,012.10	(558.51)

**RESOLUTION**

#2010 – 185

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH XT  
THIRTY-SIX (36) MONTHS FOR TELEPHONE SERVICE**

**WHEREAS**, the Borough previously adopted resolution 2009-224, authorizing an agreement with XTC Consulting for a billing audit; and

**WHEREAS**, XTEL Communications is a subsidiary company of XTC Consulting;

**WHEREAS**, XTEL Communications has provided a proposal to the Borough for telephone services; with an annual cost savings of approximately \$2,000.00.

**WHEREAS**, the Chief Financial Officer reviewed the proposal and made a recommendation in favor of the proposal.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough that the Mayor is authorized to execute an agreement with XTEL Communications for telephone service.

**RESOLUTION  
2010 – 186  
PAYMENT OF BILLS**

RESOLUTION  
2010-

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HELMETTA, in the County of Middlesex, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor and Chief Financial Officer are hereby authorized and directed to sign checks in the payment of bills and claims which are hereby approved.

The computer print-out of the list of bills will be on file in the Clerk's Office.

CURRENT FUND	\$	137,818.59
WATER OPERATING FUND		81,981.78
SEWER OPERATING FUND		66,881.86
GENERAL CAPITAL FUND		128,383.03
WATER CAPITAL FUND		251,840.00
TRUST FUND		414.69
	<u>\$</u>	<u>667,319.95</u>

	Motion	Second	Aye	Nay	Abstain	Absent
Peckham						
Asciolla						
Janeczek						
Karczewski						
Perez						
Smith						

Sandra Bohinski, Municipal Clerk of the Borough of Helmetta, Middlesex County, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Governing Body at their regular meeting on October 14, 2010.

\_\_\_\_\_  
Sandra Bohinski, Municipal Clerk

09/23/10  
12:01:42

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 1

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Batch Id: LAR      Batch Type: C      Batch Date: 09/23/10      Checking Account: CLEARING      G/L Credit: Budget G/L Credit  
Generate Direct Deposit: N  
=====

Check No. PO #	Check Date Enc Date	Vendor # Item	Name Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
10-00704	09/23/10	1	MID21 MIDDLESEX CO PLANNING BOARD APPLICATIN FEE-ANIMAL SHELTER	550.00	C-04-55-500-801 ANIMAL SHELTER-CONSTRUCTION	Budget	Aprv	1
				----- 550.00				
10-00705	09/23/10	1	VER04 VERIZON BUSINESS INV 05611677	67.08	0-01-31-827-020 TELEPHONE COSTS	Budget	Aprv	2
				----- 67.08				

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                    Count    Line Items                    Amount  
                    -----    -----                    -----  
Checks:                    2                    2                    617.08  
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There are NO errors in this listing.  
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09/23/10  
12:01:42

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 2

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	67.08	0.00
GENERAL CAPITAL FUND	C-04	550.00	0.00
Total of All Funds:		617.08	0.00

G/L Posting Summary

Account	Description	Debits	Credits
0-01-101-01-000-000	Cash Wachovia 2000013301749	0.00	67.08
0-01-201-20-000-000	Current Appropriations	67.08	0.00
Totals for Fund 0-01 :		67.08	67.08
0-04-100-01-000-000	Cash Wachovia 2000013301804	0.00	550.00
0-04-216-55-950-901	Imp. Authorized - Unfunded	550.00	0.00
Totals for Fund 0-04 :		550.00	550.00
Grand Total:		617.08	617.08

09/23/10  
12:01:42

BOROUGH OF HELMETTA  
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GENERAL CAPITAL FUND	C-04	550.00	0.00
Total of All Funds:		617.08	0.00

G/L Posting Summary

Account	Description	Debits	Credits
0-01-101-01-000-000	Cash Wachovia 2000013301749	0.00	67.08
0-01-201-20-000-000	Current Appropriations	67.08	0.00
Totals for Fund 0-01 :		67.08	67.08
0-04-100-01-000-000	Cash Wachovia 2000013301804	0.00	550.00
0-04-216-55-950-901	Imp. Authorized - Unfunded	550.00	0.00
Totals for Fund 0-04 :		550.00	550.00
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G/L Posting Summary

Account	Description	Debits	Credits
0-01-101-01-000-000	Cash Wachovia 2000013301749	0.00	67.08
0-01-201-20-000-000	Current Appropriations	67.08	0.00
Totals for Fund 0-01 :		67.08	67.08
0-04-100-01-000-000	Cash Wachovia 2000013301804	0.00	550.00
0-04-216-55-950-901	Imp. Authorized - Unfunded	550.00	0.00
Totals for Fund 0-04 :		550.00	550.00
Grand Total:		617.08	617.08

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	710.84	0.00
WATER OPERATING FUND	0-05	16,638.84	0.00
	Year Total:	17,349.68	0.00
GENERAL CAPITAL FUND	C-04	742.77	0.00
ANIMAL TRUST FUND	T-09	0.00	0.00
	Total of All Funds:	18,092.45	0.00

G/L Posting Summary

Account	Description	Debits	Credits
0-01-101-01-000-000	Cash Wachovia 2000013301749	0.00	710.84
0-01-201-20-000-000	Current Appropriations	710.84	0.00
	Totals for Fund 0-01 :	710.84	710.84
0-04-100-01-000-000	Cash Wachovia 2000013301804	0.00	742.77
0-04-216-55-900-901	Imp. Authorized - Funded	742.77	0.00
	Totals for Fund 0-04 :	742.77	742.77
0-05-101-01-000-000	Cash Wachovia 2000013301765	0.00	16,638.84
0-05-201-55-000-000	Current Appropriations	16,638.84	0.00
	Totals for Fund 0-05 :	16,638.84	16,638.84
0-09-100-00-852-001	Cash Wachovia 2000013301833	0.00	0.00
0-09-201-00-852-001	RESERVE FOR ANIMAL EXPENDITURE	0.00	0.00
	Totals for Fund 0-09 :	0.00	0.00
	Grand Total:	18,092.45	18,092.45

09/30/10  
13:00:27

BOROUGH OF HELMETTA  
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GENERAL CAPITAL FUND	C-04	742.77	0.00
ANIMAL TRUST FUND	T-09	0.00	0.00
	Total of All Funds:	18,092.45	0.00

G/L Posting Summary

Account	Description	Debits	Credits
0-01-101-01-000-000	Cash Wachovia 2000013301749	0.00	710.84
0-01-201-20-000-000	Current Appropriations	710.84	0.00
	Totals for Fund 0-01 :	710.84	710.84
0-04-100-01-000-000	Cash Wachovia 2000013301804	0.00	742.77
0-04-216-55-900-901	Imp. Authorized - Funded	742.77	0.00
	Totals for Fund 0-04 :	742.77	742.77
0-05-101-01-000-000	Cash Wachovia 2000013301765	0.00	16,638.84
0-05-201-55-000-000	Current Appropriations	16,638.84	0.00
	Totals for Fund 0-05 :	16,638.84	16,638.84
0-09-100-00-852-001	Cash Wachovia 2000013301833	0.00	0.00
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0-09-201-00-852-001	RESERVE FOR ANIMAL EXPENDITURE	0.00	0.00
	Totals for Fund 0-09 :	0.00	0.00
	Grand Total:	18,092.45	18,092.45

09/29/10  
11:29:24

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 2

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
10-00728	09/29/10	25	223.27	0-05-55-540-015 SOCIAL SECURITY	Budget	Aprv	25
10-00728	09/29/10	26	223.27	0-07-55-540-015 SOCIAL SECURITY	Budget	Aprv	26
10-00728	09/29/10	27	67.19	T-13-55-000-014 Res for Unemployment Comp	Budget	Aprv	27
10-00728	09/29/10	28	76.92	0-01-43-771-015 SOUTH RIVER ANIMAL CONTROL S&W	Budget	Aprv	28
10-00728	09/29/10	29	300.00	0-01-43-771-016 SOUTH RIVER ANIMAL CONTROL O/T	Budget	Aprv	29
10-00728	09/29/10	30	519.22	0-01-20-701-010 ADMINISTRATOR S&W	Budget	Aprv	30
10-00728	09/29/10	31	156.25	0-01-27-788-011 ANIMAL CONTROL O/T	Budget	Aprv	31
10-00728	09/29/10	33	50.00	0-01-43-771-011 SPOTSWOOD ANIMAL CONTROL OT	Budget	Aprv	32
10-00728	09/29/10	34	0.00	0-01-43-771-017 SAYREVILLE ANIMAL CONTROL	Budget	Aprv	33
10-00728	09/29/10	35	300.00	0-01-43-771-018 SAYREVILLE ANIMAL CONTROL OT	Budget	Aprv	34
			----- 31,592.49				

	Count	Line Items	Amount
Checks:	1	34	31,592.49

There are NO errors in this listing.

09/29/10  
11:29:24

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 2

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
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10-00728	09/29/10	26	223.27	0-07-55-540-015 SOCIAL SECURITY	Budget	Aprv	26
10-00728	09/29/10	27	67.19	T-13-55-000-014 Res for Unemployment Comp	Budget	Aprv	27
10-00728	09/29/10	28	76.92	0-01-43-771-015 SOUTH RIVER ANIMAL CONTROL S&w	Budget	Aprv	28
10-00728	09/29/10	29	300.00	0-01-43-771-016 SOUTH RIVER ANIMAL CONTROL O/T	Budget	Aprv	29
10-00728	09/29/10	30	519.22	0-01-20-701-010 ADMINISTRATOR S&w	Budget	Aprv	30
10-00728	09/29/10	31	156.25	0-01-27-788-011 ANIMAL CONTROL O/T	Budget	Aprv	31
10-00728	09/29/10	33	50.00	0-01-43-771-011 SPOTSWOOD ANIMAL CONTROL OT	Budget	Aprv	32
10-00728	09/29/10	34	0.00	0-01-43-771-017 SAYREVILLE ANIMAL CONTROL	Budget	Aprv	33
10-00728	09/29/10	35	300.00	0-01-43-771-018 SAYREVILLE ANIMAL CONTROL OT	Budget	Aprv	34
			31,592.49				

	Count	Line Items	Amount
Checks:	1	34	31,592.49

There are NO errors in this listing.

09/29/10  
12:58:25

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 1

-----  
 Batch Id: LAR    Batch Type: C    Batch Date: 10/01/10    Checking Account: WIRE    G/L Credit: Budget G/L Credit  
 Generate Direct Deposit: N  
 -----

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
10-00691	09/15/10	10/01/10 CHA01 CHASE BANK 1 BAN REDEMPTION 10/1/10	81,000.00	0-01-45-871-020 NOTE PRINCIPAL	Budget	Aprv	1
10-00691	09/15/10	2 BAN REDEMPTION 10/1/10	85,000.00	C-04-55-000-004 PAYMENT OF BAN	Budget	Aprv	2
10-00691	09/15/10	3 BAN REDEMPTION 10/1/10	54,000.00	0-05-55-525-022 NOTE PRINCIPAL	Budget	Aprv	3
10-00691	09/15/10	4 BAN REDEMPTION 10/1/10	227,000.00	C-06-55-000-002 PAYMENT OF BAN	Budget	Aprv	4
10-00691	09/15/10	5 BAN REDEMPTION 10/1/10	7,470.00	0-01-45-873-020 INTEREST ON NOTES	Budget	Aprv	5
10-00691	09/15/10	6 BAN REDEMPTION 10/1/10	8,131.54	0-05-55-525-027 ACCRUED INTEREST ON BONDS	Budget	Aprv	6
			----- 462,601.54				

	Count	Line Items	Amount
checks:	1	6	462,601.54

There are NO errors in this listing.

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09/29/10  
12:58:25

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 1

Batch Id: LAR    Batch Type: C    Batch Date: 10/01/10    Checking Account: WIRE    G/L Credit: Budget G/L Credit  
Generate Direct Deposit: N

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
10-00691	09/15/10	10/01/10 CHA01 CHASE BANK 1 BAN REDEMPTION 10/1/10	81,000.00	0-01-45-871-020 NOTE PRINCIPAL	Budget	Aprv	1
10-00691	09/15/10	2 BAN REDEMPTION 10/1/10	85,000.00	C-04-55-000-004 PAYMENT OF BAN	Budget	Aprv	2
10-00691	09/15/10	3 BAN REDEMPTION 10/1/10	54,000.00	0-05-55-525-022 NOTE PRINCIPAL	Budget	Aprv	3
10-00691	09/15/10	4 BAN REDEMPTION 10/1/10	227,000.00	C-06-55-000-002 PAYMENT OF BAN	Budget	Aprv	4
10-00691	09/15/10	5 BAN REDEMPTION 10/1/10	7,470.00	0-01-45-873-020 INTEREST ON NOTES	Budget	Aprv	5
10-00691	09/15/10	6 BAN REDEMPTION 10/1/10	8,131.54	0-05-55-525-027 ACCRUED INTEREST ON BONDS	Budget	Aprv	6
			462,601.54				

	Count	Line Items	Amount
Checks:	1	6	462,601.54

There are NO errors in this listing.

09/29/10  
12:58:25

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 1

Batch Id: LAR    Batch Type: C    Batch Date: 10/01/10    Checking Account: WIRE    G/L Credit: Budget G/L Credit  
Generate Direct Deposit: N

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
10-00691	09/15/10	10/01/10 CHA01 CHASE BANK 1 BAN REDEMPTION 10/1/10	81,000.00	0-01-45-871-020 NOTE PRINCIPAL	Budget	Aprv	1
10-00691	09/15/10	2 BAN REDEMPTION 10/1/10	85,000.00	C-04-55-000-004 PAYMENT OF BAN	Budget	Aprv	2
10-00691	09/15/10	3 BAN REDEMPTION 10/1/10	54,000.00	0-05-55-525-022 NOTE PRINCIPAL	Budget	Aprv	3
10-00691	09/15/10	4 BAN REDEMPTION 10/1/10	227,000.00	C-06-55-000-002 PAYMENT OF BAN	Budget	Aprv	4
10-00691	09/15/10	5 BAN REDEMPTION 10/1/10	7,470.00	0-01-45-873-020 INTEREST ON NOTES	Budget	Aprv	5
10-00691	09/15/10	6 BAN REDEMPTION 10/1/10	8,131.54	0-05-55-525-027 ACCRUED INTEREST ON BONDS	Budget	Aprv	6
			462,601.54				

	Count	Line Items	Amount
Checks:	1	6	462,601.54

There are NO errors in this listing.

09/29/10  
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BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 1

Batch Id: LAR    Batch Type: C    Batch Date: 10/01/10    Checking Account: WIRE    G/L Credit: Budget G/L Credit  
Generate Direct Deposit: N

Check No. PO #	Check Date Enc Date	Vendor # Item Description	Name	Payment Amt	Charge Account Description	Account Type	Status	Seq
10-00691	09/15/10	1	BAN REDEMPTION 10/1/10	81,000.00	0-01-45-871-020 NOTE PRINCIPAL	Budget	Aprv	1
10-00691	09/15/10	2	BAN REDEMPTION 10/1/10	85,000.00	C-04-55-000-004 PAYMENT OF BAN	Budget	Aprv	2
10-00691	09/15/10	3	BAN REDEMPTION 10/1/10	54,000.00	0-05-55-525-022 NOTE PRINCIPAL	Budget	Aprv	3
10-00691	09/15/10	4	BAN REDEMPTION 10/1/10	227,000.00	C-06-55-000-002 PAYMENT OF BAN	Budget	Aprv	4
10-00691	09/15/10	5	BAN REDEMPTION 10/1/10	7,470.00	0-01-45-873-020 INTEREST ON NOTES	Budget	Aprv	5
10-00691	09/15/10	6	BAN REDEMPTION 10/1/10	8,131.54	0-05-55-525-027 ACCRUED INTEREST ON BONDS	Budget	Aprv	6
				462,601.54				

	Count	Line Items	Amount
Checks:	1	6	462,601.54

There are NO errors in this listing.

09/30/10  
13:15:23

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

Page No: 2

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	7,195.50	0.00
WATER OPERATING FUND	0-05	761.15	0.00
SEWER OPERATING FUND	0-07	761.15	0.00
Total of All Funds:		8,717.80	0.00

G/L Posting Summary

Account	Description	Debits	Credits
0-01-101-01-000-000	Cash Wachovia 2000013301749	0.00	7,195.50
0-01-201-20-000-000	Current Appropriations	7,195.50	0.00
Totals for Fund 0-01 :		7,195.50	7,195.50
0-05-101-01-000-000	Cash Wachovia 2000013301765	0.00	761.15
0-05-201-55-000-000	Current Appropriations	761.15	0.00
Totals for Fund 0-05 :		761.15	761.15
0-07-101-01-000-000	Cash Wachovia 2000013301781	0.00	761.15
0-07-201-55-000-000	Current Year Appropriations	761.15	0.00
Totals for Fund 0-07 :		761.15	761.15
Grand Total:		8,717.80	8,717.80

09/30/10  
13:15:23

BOROUGH OF HELMETTA  
Check Payment Batch Verification Listing

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Totals for Fund 0-01 :		7,195.50	7,195.50
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0-05-201-55-000-000	Current Appropriations	761.15	0.00
Totals for Fund 0-05 :		761.15	761.15
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0-07-201-55-000-000	Current Year Appropriations	761.15	0.00
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BOROUGH OF HELMETTA  
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0-07-101-01-000-000	Cash Wachovia 2000013301781	0.00	761.15
0-07-201-55-000-000	Current Year Appropriations	761.15	0.00
Totals for Fund 0-07 :		761.15	761.15
Grand Total:		8,717.80	8,717.80

10/06/10  
10:59:52

BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 2

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Contract
10/06/10	LAR	10-00719	MAR02 NANCY MARTIN 1 HELMETTA DAY PURCHASES	121.92	0-01-28-795-020 RECREATION OE	
10/06/10	LAR	10-00706	NEW23 NJ LEAGUE OF MUNICIPALITIES 1 RENEWAL INVOICE 10B-8926	49.00	0-01-20-120-020 MUNICIPAL CLERK OE	
10/06/10	LAR	10-00729	NEW23 NJ LEAGUE OF MUNICIPALITIES 1 2010 LEAGUE REGISTRATION	50.00	0-01-20-705-020 FINANCE OE	
10/06/10	LAR	10-00729	2 2010 LEAGUE REGISTRATION	50.00	0-01-20-120-020 MUNICIPAL CLERK OE	
P.O. Total:				100.00		
10/06/10	LAR	10-00683	NOR07 NORTH BRUNSWICK TOWNSHIP 1 WORK ORDER 3359	18.35	0-01-25-745-020 POLICE DEPARTMENT OE	
10/06/10	LAR	10-00618	REM01 REMINGTON, VERNICK & VENA 3 INV 1206T055-2 - DOT GRANT	195.00	0-01-20-712-020 LEGAL SERVICES OE	
10/06/10	LAR	10-00634	REM01 REMINGTON, VERNICK & VENA 3 INV 1206T056-2 - SHELTER	20,008.36	C-04-55-500-801 ANIMAL SHELTER-CONSTRUCTION	
10/06/10	LAR	10-00740	REM01 REMINGTON, VERNICK & VENA 1 INV 1206T051-7 - MADISON DR.	2,598.90	C-04-55-500-715 MADISON DRIVE-ENGINEERING INSPECTION	
10/06/10	LAR	10-00738	RUS01 LORI A. RUSSO 1 EMAIL AGREEMENT THRU 9/8/12	216.86	0-01-20-110-023 MAYOR & COUNCIL OE - WEBSITE ADMIN	
10/06/10	LAR	10-00703	SAM03 SAM'S CLUB CREDIT 1 9/23/10 PURCHASE-HELMETTA DAY	183.17	0-01-28-795-020 RECREATION OE	
10/06/10	LAR	10-00703	2 FINANCE CHARGE REVERSED	16.27	0-01-28-795-020 RECREATION OE	
P.O. Total:				166.90		
10/06/10	LAR	10-00744	SAM03 SAM'S CLUB CREDIT 1 10/3/10 PURCHASE-HALLOWEEN	83.80	0-01-28-795-020 RECREATION OE	
SAY01 SAYREVILLE PET ADOPTION CENTER						

10/06/10  
10:59:52

BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 2

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10/06/10	LAR	10-00706	NEW23 NJ LEAGUE OF MUNICIPALITIES 1 RENEWAL INVOICE 108-8926	49.00	0-01-20-120-020 MUNICIPAL CLERK OE	
10/06/10	LAR	10-00729	NEW23 NJ LEAGUE OF MUNICIPALITIES 1 2010 LEAGUE REGISTRATION	50.00	0-01-20-705-020 FINANCE OE	
10/06/10	LAR	10-00729	2 2010 LEAGUE REGISTRATION	50.00	0-01-20-120-020 MUNICIPAL CLERK OE	
P.O. Total:				100.00		
10/06/10	LAR	10-00683	NOR07 NORTH BRUNSWICK TOWNSHIP 1 WORK ORDER 3359	18.35	0-01-25-745-020 POLICE DEPARTMENT OE	
10/06/10	LAR	10-00618	REM01 REMINGTON, VERNICK & VENA 3 INV 1206T055-2 - DOT GRANT	195.00	0-01-20-712-020 LEGAL SERVICES OE	
10/06/10	LAR	10-00634	REM01 REMINGTON, VERNICK & VENA 3 INV 1206T056-2 - SHELTER	20,008.36	C-04-55-500-801 ANIMAL SHELTER-CONSTRUCTION	
10/06/10	LAR	10-00740	REM01 REMINGTON, VERNICK & VENA 1 INV 1206T051-7 - MADISON DR.	2,598.90	C-04-55-500-715 MADISON DRIVE-ENGINEERING INSPECTION	
10/06/10	LAR	10-00738	RUS01 LORI A. RUSSO 1 EMAIL AGREEMENT THRU 9/8/12	216.86	0-01-20-110-023 MAYOR & COUNCIL OE - WEBSITE ADMIN	
10/06/10	LAR	10-00703	SAM03 SAM'S CLUB CREDIT 1 9/23/10 PURCHASE-HELMETTA DAY	183.17	0-01-28-795-020 RECREATION OE	
10/06/10	LAR	10-00703	2 FINANCE CHARGE REVERSED	16.27	0-01-28-795-020 RECREATION OE	
P.O. Total:				166.90		
10/06/10	LAR	10-00744	SAM03 SAM'S CLUB CREDIT 1 10/3/10 PURCHASE-HALLOWEEN	83.80	0-01-28-795-020 RECREATION OE	
SAY01 SAYREVILLE PET ADOPTION CENTER						

10/06/10  
10:59:52

BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 3

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Contract
10/06/10	LAR	10-00139	10 10/2/10 INVOICE - 9/10	225.00	0-01-27-788-020 ANIMAL CONTROL OE	
10/06/10	LAR	10-00710	STA02 STAPLES CREDIT PLAN 1 FURNITURE FOR COURT OFFICE	459.97	0-01-26-772-020 BUILDINGS & GROUNDS OE	
10/06/10	LAR	10-00690	STA11 STAPLES ADVANTAGE 1 INV 3141666134	30.36	0-01-25-745-020 POLICE DEPARTMENT OE	
10/06/10	LAR	10-00492	VIT01 VITAL COMPUTER RESOURCES 1 2011 TAX BINDERS	172.00	0-01-20-708-020 REVENUE ADMN TAX COLL OE	
10/06/10	LAR	10-00492	2 2011 TAX BINDERS-SHIPPING	16.00	0-01-20-708-020 REVENUE ADMN TAX COLL OE	
10/06/10	LAR	10-00492	3 2011 COLOR CODED INDEX TABS	24.00	0-01-20-708-020 REVENUE ADMN TAX COLL OE	
10/06/10	LAR	10-00492	4 2011 LEGEND PAGES	2.80	0-01-20-708-020 REVENUE ADMN TAX COLL OE	
			P.O. Total:	214.80		
			Total for Batch: LAR	52,502.02		
			Total for Date: 10/06/10	Total for All Batches:	52,502.02	

10/06/10  
10:59:52

BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 4

Batch Id	Batch Total
Total for Batch: LAR	52,502.02
Total of All Batches:	<u>52,502.02</u>

10/06/10  
10:59:52

BOROUGH OF HELMETTA  
Received P.O. Batch Listing By Vendor Id

Page No: 4

Batch Id	Batch Total
Total for Batch: LAR	52,502.02
Total of All Batches:	<u>52,502.02</u>

**RESOLUTION  
#2010 - 187**

**RESOLUTION OF THE BOROUGH OF HELMETTA APPOINTING RAYMOND HAYDUCKA  
FOR THE DISCIPLINARY PROCEEDINGS AGAINST PATROLMAN RICHARD BRUNO**

WHEREAS, the Borough of Helmetta (the "Borough") has filed disciplinary charges against Patrolman Bruno ("Patrolman Bruno") seeking, among other things, termination of Patrolman Bruno's employment;

WHEREAS, Patrolman Bruno has requested a hearing as to the charges against him (the "Hearing");

WHEREAS, it is necessary for the Borough to appoint a hearing officer for the Hearing; and

WHEREAS, the Borough Council desires to appoint Raymond Hayducka to the position of hearing officer and to compensate him at the rate of \$90.00 per hour for his services.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Helmetta that Raymond Hayducka is hereby appointed to the position of hearing officer for the hearing on the disciplinary charge against Patrolman Bruno and

BE IT FURTHER RESOLVED that Raymond Hayducka shall be compensated by the Borough of Helmetta for his services as hearing officer.

**RESOLUTION  
#2010 - 188**

**APPOINTMENT OF CLASS II SPECIAL POLICE OFFICER  
PHILLIP JOSEPH ESPOSITO**

WHEREAS, the Borough of Helmetta Municipal Ordinance 13-7 permits the appointment of Class II Special Police Officers; and

WHEREAS, Police Chief Cully Lewis has recommended the appointment of Phillip Joseph Esposito as a Class II Special Police Officer in the Borough of Helmetta;

THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Helmetta that Phillip Joseph Esposito is hereby appointed a Class II Special Police Officer for a term of one (1) year to expire on 12/31/2011, to be removed by the Chief of Police before the end of the one year term. Class II Special Police Officer

to be assigned his duties by the Chief of Police upon completion of Class II Special Academy be consistent with the laws of the State of New Jersey and the Ordinance of the Borough of H

**RESOLUTION  
#2010 – 189**

**AUTHORIZATION FOR THE PURCHASE OF A NEW 2011 FORD CROWN VICTORIA I  
RELATED OPTIONS UNDER STATE CONTRACT #A72467**

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for any contract for such goods entered into on behalf of the State by the Division of Purchase and Treasury; and

WHEREAS, the Borough of Helmetta Police Department has recommended that the B Ford Crown Victoria police vehicle and related options from "Winner Ford of Cherry Hill, New Jersey, A72467 for the amount of \$28,233.00; and

WHEREAS, it is in the interest of the citizens of the Borough of Helmetta to provide new the Police Department; and

WHEREAS, the Chief Financial Officer of the Borough of Helmetta has certified that; funds are this police vehicle.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the authorization is hereby granted to purchase a new 2011 Ford Crown Victoria police vehicle at Ford of Cherry Hill, New Jersey" under State Contract # A72467 for the amount of \$28,233.00

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Helmetta is hereby authorized necessary to effectuate the purchase of the police vehicle. described herein on behalf of the E

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

- a. Winner Ford of Cherry Hill
- b. Borough Police Department
- c. Borough Chief Financial Officer
- d. Gluck Walrath, LLP

**RESOLUTION  
#2010 – 190**

**FINAL PAYMENT TO MICHAEL V. TESTA, LLC**

WHEREAS, Michael V. Testa, Architect, LLC was awarded the contract to design the a

WHEREAS, he has provided the service contracted for; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the amount for these services;

NOW THEREFORE BE IT RESOLVED that the Chief Financial Officer is hereby authorized in the amount of \$36,900.00 to Michael V. Testa, LLC for final payment of his design of the animal shelter project.

**RESOLUTION  
#2010 - 191**

**RESOLUTION OF THE BOROUGH OF HELMETTA REJECTING ALL BIDS RECEIVED FOR ANIMAL SHELTER PROJECT ON BLOCK 13, LOT 39.2**

WHEREAS, the Borough of Helmetta (the "Borough") authorized the acceptance of bids pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq. (the "LPCL") for the construction of an animal shelter on property owned by the Borough located at Block 13, Lot 39.2 within the Borough and

WHEREAS, the Borough received bids from five bidders: Dell-Tech, Inc.; Authentic Construction, Inc.; Tri-Form Construction, Inc.; GPC, Inc; and Salazar & Associates, Inc; and

WHEREAS, all of the bids substantially exceeded the Borough's cost estimates and the Borough's appropriation for the animal shelter project; and

WHEREAS, N.J.S.A. 40A:11-13.2 of the LPCL authorizes municipalities to reject all bids if the lowest bid substantially exceeds its cost estimates or its appropriations for the goods and services and

WHEREAS, the Borough Council wishes to reject all bids for the animal shelter project.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Helmetta that the Borough hereby rejects all bids for the animal shelter project on Block 13, Lot 39.2 because the bids substantially exceeded the Borough's cost estimates and the Borough's appropriation for the animal shelter project; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to the following:

- (a) Dell-Tech, Inc.;
- (b) Authentic Construction, Inc.;
- (c) Tri-Form Construction, Inc.;
- (d) GPC, Inc;
- (e) Salazar & Associates, Inc;

- (f) Borough Attorney;
- (g) Borough Engineer; and
- (h) Michael Testa, Borough's consulting architect.

**RESOLUTION  
#2010 - 196**

**RESOLUTION ESTABLISHING COMPENSATION FOR BACK-UP ANIMAL CONTROL OFFICERS**

WHEREAS, the Borough of Helmetta currently has two regular animal control officers who are compensated for their services by receiving call-out pay in the amount of \$50.00 per call when a call is received after 3:00 p.m. on weekdays or any time on Saturdays, Sundays, or holidays recognized by the Borough; and

WHEREAS, the Borough currently has one back-up animal control officer, Howard Messler, but has not formally established a policy for the compensation of back-up animal control officers; and

WHEREAS, the Borough wishes to establish the compensation to be paid to Mr. Messler for his services as back-up animal control officer and/or the compensation to be paid to any future back-up animal control officers appointed by the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Helmetta that back-up animal control officers appointed by the Borough shall be compensated for their services at the same rate as the Borough's regular animal control officers (which is currently \$50.00 per call when the call is received after 3:00 p.m. on weekdays or any time on Saturdays, Sundays, or holidays recognized by the Borough).

**RESOLUTION  
#2010 – 197**

**AUTHORIZATION FOR MAYOR TO SIGN AGREEMENT**

BE IT RESOLVED, by the Governing Body of the Borough of Helmetta that they hereby authorize Mayor Martin to sign the grant agreement with the County of Middlesex for \$100,000.00 for so many panels for the animal shelter.

**MOTION – Clmn. Smith      SECOND – Clmn. Janeczek  
ROLL CALL: 5 – 0**

**RESOLUTION  
#2010 -192**

**Resolution of the Borough of Helmetta conditionally designating Dell-Tech as the Redeveloper for Block 13, Lot 39.02 within the Helme Mill Redevelopment area for the redevelopment of the site as an animal shelter**

WHEREAS, the Borough previously designated certain properties within the Borough as an "area in need of redevelopment" under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the "LRHL") and this redevelopment area is known as the Helme Mill Redevelopment Area; and

WHEREAS, the Borough adopted a redevelopment plan for the Helme Mill Redevelopment Area which, as amended, permits the redevelopment of property located at Block 13, Lot 39.2 within the Helme Mill Redevelopment Area (the "Property") for an animal shelter; and

WHEREAS, the Borough Council is the redevelopment entity for the Helme Mill Redevelopment Area; and

WHEREAS, the Borough recently purchased the property located at Block 13, Lot 39.2 within the Helme Mill Redevelopment Area (the "Property") in order to redevelop the Property with an animal shelter; and

WHEREAS, N.J.S.A. 40A:12A-8(f) allows municipalities to contract with redevelopers to undertake the redevelopment of properties within a designated redevelopment area in order to effectuate a redevelopment plan; and

WHEREAS, Dell-Tech, Inc. is a contractor with experience in building animal shelters and is willing to act as the redeveloper for the redevelopment of the Property as an animal shelter; and

WHEREAS, the Borough wishes to conditionally designate Dell-Tech, Inc. as the redeveloper for the Property, subject to the negotiation of a redevelopment agreement between the Borough and Dell-Tech, Inc. and the approval of that redevelopment agreement by the Borough Council within sixty (60) days of the date of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that Dell-Tech, Inc. is conditionally designated as the redeveloper for Block 13, Lot 39.2 within the Helme Mill Redevelopment Area, subject to the negotiation of a redevelopment agreement between the Borough and Dell-Tech, Inc. and the approval of that redevelopment agreement by the Borough Council within sixty (60) days of the date of this resolution; and

BE IT FURTHER RESOLVED, that if the Borough and Dell-Tech, Inc. fail to negotiate a redevelopment agreement for Block 13, Lot 39.2 or the Borough Council fails to approve this redevelopment agreement within sixty (60) days of the date of this resolution, the Borough's

designation of Dell-Tech, Inc. as the redeveloper for Block 13, Lot 39.2 shall automatically terminate without the need for further Borough Council action; and

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

- a. Dell-Tech, Inc.
- b. Terry Vogt, Borough Engineer/Borough Planner
- c. David A. Clark, Borough Attorney
- d. Michael Testa, Borough's consulting architect

**MOTION – Clmn. Smith    SECOND – Clmn. Peckham**

**ROLL CALL: 4 - 1**

Ayes – Peckham, Ascioffa, Janeczek, Smith

Nays - Perez

#### **RESOLUTION**

**#2010 - 193**

#### **RESOLUTION AUTHORIZING THE BOROUGH OF HELMETTA TO APPLY FOR A LOAN FROM THE U.S. DEPARTMENT OF AGRICULTURE TO OBTAIN FUNDING TO BUILD AN ANIMAL SHELTER IN THE BOROUGH**

WHEREAS, the Borough of Helmetta (the "Borough") recently purchased the property located at Block 13, Lot 39.2 in order to build an animal shelter (the "Project"); and

WHEREAS, the Borough desires to apply for a loan from the U.S. Department of Agriculture (the "USDA") in order to obtain funding for the Project; and

WHEREAS, the Borough Council has determined it is in the best interests of the Borough to authorize the Mayor or her designee and/or the Borough Engineer to complete the USDA Application for Federal Assistance.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Helmetta that the Mayor or her designee and/or the Borough Engineer are hereby authorized to complete the USDA Application for Federal Assistance in order to obtain funding to build an animal shelter located at Block 13, Lot 39.2 in the Borough.

**MOTION – Clmn. Smith    SECOND – Clmn. Peckham**

**ROLL CALL: 4 - 1**

Ayes – Peckham, Ascioffa, Janeczek, Smith

Nays - Perez

**RESOLUTION  
#2010 – 194**

**Emergency Resolution - N.J.S.A. 40A:4-48**

**MOTION – Clmn. Peckham SECOND – Clmn. Smith  
ROLL CALL: 5 – 0**

**RESOLUTION  
# 2010 - 195**

**Capital Budget Amendment No. 1**

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

**ROLL CALL: 4 - 1**

**Ayes – Peckham, Ascioffa, Janeczek, Smith  
Nays – Perez**

**ORDINANCE ON SECOND READING:**

**BOROUGH OF HELMETTA  
ORDINANCE NO. 2010 – 27**

**AN ORDINANCE AMENDING CHAPTER 23  
("BICYCLES") OF THE CODE OF THE  
BOROUGH OF HELMETTA**

**WHEREAS**, pursuant to N.J.S.A. 39:4-10.1 et seq. any person under the age of 17 shall not operate or ride upon a bicycle, or operate any roller skates or skateboard unless that person is wearing a properly fitted helmet; and

**WHEREAS**, the Borough Council desires to amend the Borough Code of the Borough of Helmetta in order to establish that minors under the age of 17 must wear a helmet while operating vehicles propelled by muscular power.

**NOW, THEREFORE, BE IT ORDAINED**, by Borough Council of the Borough of Helmetta that Chapter 23 ("Bicycles") of the Borough Code is hereby amended as follows (additions are underlined and bolded, and deletions struck-through):

1. Chapter 23 Bicycles **and Vehicles Propelled by Muscular Power.**

2. § 23-1. Definitions.

The term "bicycle," as used in this chapter, shall mean a device having a wheel or wheels with tires twelve (12) inches or more in diameter, connected by a frame of metal or wood, and so arranged as to be propelled by human power. The term "bicycle" as used in this chapter, shall not include children's tricycles or baby carriages.

**The term "vehicle propelled by muscular power," as used in this chapter, shall mean any wheeled device propelled solely by human power, which shall include but is not limited to, bicycles, roller skates, roller blades, skateboards, and scooters.**

3. § 23-2 and § 23-3 shall remain unchanged.

4. **§ 23-4 Helmets.**

**Any person under 17 years of age shall not operate or ride upon any vehicle propelled by muscular power, unless that person is wearing a properly fitted and fastened helmet which meets the standards set forth in N.J.S.A. 39:4-10.1 et seq. The requirements of this section shall apply at all times while a vehicle propelled by muscular power is being operated on any property open to the public.**

5. § 23-4 **§ 23-5** Violations and penalties.

Any person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than fifty dollars (\$50) **and**/or by imprisonment for not more than fifteen (15) days.

**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**, that this Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

A **MOTION** to be read by title only was made by Cmn. Peckham and **SECONDED** by Cmn. Janeczek. ROLL CALL: 5 – 0.

This Ordinance was opened to the Public; there being no one from the Public who wished to be heard, the meeting was Closed to the Public.

**MOTION TO ADOPT:** Cmn. Peckham **SECOND:** Cmn. Janeczek  
**ROLL CALL:** 5 – 0

**MEETING OF MAYOR AND COUNCIL  
OCTOBER 14, 2010**

**ORDINANCE ON FIRST READING:**

**ORDINANCE  
#2010 – 28**

**AN ORDINANCE OF THE BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$700,000 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 PROVIDING FOR THE ISSUANCE OF \$665,000 IN BONDS OR NOTES OF THE BOROUGH OF HELMETTA TO FINANCE THE SAME.**

BE IT ORDAINED BY THE BOROUGH COMMITTEE 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 improvement or purpose described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Helmetta, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the supplemental amount of \$700,000, such sum being in addition to the \$1,200,000 appropriated therefor by bond ordinance No. 2010-15 of the Borough finally adopted July 13, 2010 ("Ordinance No. 2010-15") and including the sum of \$35,000 as the additional down payment for the improvement or purpose required by the Local Bond Law. The additional down payment has been made available by virtue of provision for down payment in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvements or purposes not covered by application of the additional down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$665,000 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,

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equipment, machinery, apparatus, work materials and appurtenances necessary and suitable therefor 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 improvement or purpose is \$1,805,000, including the \$1,140,000 of bonds or notes authorized by the Ordinance No. 2010-15, and the \$665,000 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$1,900,000, including the \$1,200,000 appropriated by Ordinance No. 2010-15 and the \$700,000 appropriated herein.

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 purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the

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Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted 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 \$665,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$225,000 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. Of this amount, \$200,000 was estimated for these items of expense in Ordinance No. 2010-15, and an additional \$25,000 is estimated therefor herein.

(e) The Borough reasonably expects to commence the purpose 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 purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement 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.

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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 thereunder (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 thereunder.

MOTION – Clmn. Peckham SECOND – Clmn. Smith

ROLL CALL: 4 – 1

Ayes: Peckham, Ascioffa, Janeczek, Smith

Nayes: Perez

Absent: Karczewski

The Mayor announced that the Halloween Party will be held on October 30. The Borough Attorney had no report. The Borough Engineer gave the status of the projects in the Borough. The Public Works Director reported on his department.

A question was asked regarding the litigation with Kaplan. Borough Attorney David Clark said they were given a 30 day extension.

There being no further business, the meeting was adjourned at 8:02.

Sandra Bohinski  
Municipal Clerk