

MEETING OF MAYOR AND COUNCIL
MARCH 15, 2017
7:00 PM

* MEETING CALLED TO ORDER – SALUTE TO THE FLAG - MOMENT OF SILENCE

The meeting was called to order at 7:10 p.m. by Mayor Chris Slavicek. He asked everyone to please stand for the Pledge of Allegiance and remain standing for a moment of silence for our men and women serving and whom have served in the military protecting our freedom.

* CALLING OF THE ROLL

Mayor Slavicek
Councilman Karczewski - absent
Councilman Dzingleski
Councilwoman Carolan-Genthe
Councilman Peckham
Councilman Perez
Councilman Reid - absent
Also in attendance:
Borough Administrator Matthew Crane
Borough Attorney Joseph Youssouf

* PROCLAMATION

Mayor Slavicek read proclamations acknowledging Sgt. Messler and Officer Fricks for their actions in saving the life of a Borough resident. They each received a life saving pin to be placed on their uniforms.

* OPEN PUBLIC MEETINGS ACT STATEMENT

Adequate notice of this meeting has been provided as is required under Chapter 231 Public Law 1975 specifying the time, date, location and to the extent known the agenda by posting a copy on the bulletin board in the Municipal Building outside of the meeting room and providing a copy to the Home News Tribune and Sentinel newspapers and by filing a copy in the office of the Municipal Clerk in accordance with the certification which will be entered in the minutes of this meeting.

* PUBLIC PORTION

During the Public Portion of any Council Meeting members of the Public may only speak on topics of concern to the residents of the Borough. Each individual will be given five minutes to speak as per the Rules to Govern adopted January 4, 2016. During the Public portion of any meeting, the members of the Public as well as the Governing Body shall be courteous and respectful to one another. No comments and/or behavior that are considered disrespectful, ill-willed or with the intent to harass will be tolerated. If such behavior occurs, then that individual member of the Public will be asked to sit down and his or her turn to speak will be over, even if the five minutes is not.

John Nartowicz, 2 Holly Manor Court asked if a microphone could be provided for the Attorney as it is hard to hear him. He was wondering how the Shared Services talks were coming. ; a Public Safety Committee meeting was to be held but was cancelled due to the snow. He went on the Internet to see about shared services but some were for Fire Dept. John questioned why the Police vehicle was withdrawn and was told that financially it is not in the best interest at this time. He mentioned that Helmetta Boulevard towards Cranbury Road is in need of repair. The Mayor will speak with East Brunswick. The NJDOT grant will be to fix Old Forge Road. He asked when the question will be ready to be placed on the ballot regarding the Police Department. He was told it must be submitted in August. He volunteered his services to help

The Clerk read a proclamation for National Poison Prevention Week.

*** INTRODUCTION OF BUDGET**

Mayor Slavicek spoke about the Budget.

A statement was read by Borough Administrator Matthew Crane pertaining to the 2017 Budget.

MOTION – Councilman Perez SECOND – Councilwoman Carolan-Genth
ROLL CALL: 4 - 0

*** CONSENT AGENDA – RESOLUTION #**

Report of Municipal Clerk and Tax Collector
RESOLUTIONS:

- 2017 – 64 Tax Identification Statement
- 65 Temporary Appropriation #2*
- 66 Reimbursement to Regency Walk Homeowners Association
- 67 Change in Custodian of Petty Cash
- 68 Payment of bills
- 69 Lease Purchase Agreement with Winner Ford for 2017 Police Interceptor Utility (withdrawn)
- 70 Appointment of Acting Municipal Clerk

*Prior to reading the Consent Agenda in Resolution 65 the lease purchase was amended from \$19,000 to \$8,000

MOTION – Councilwoman Carolan-Genthe SECOND – Councilman Peckham
ROLL CALL: 4 - 0

***APPROVAL OF MINUTES – February 15, 2017**

MOTION – Councilwoman Carolan-Genthe SECOND – Councilman Peckham
ROLL CALL: 4 - 0

*** REPORT OF MAYOR, COMMITTEES, BOROUGH ATTORNEY,
BOROUGH ADMINISTRATOR, PUBLIC SAFETY**

Mayor Slavicek attended the ribbon cutting of Camelot Court. They expect June/July for the opening of the next building. He thanked Department of Public Works and the Police Department for doing a

great job during the snow storm. If calls of concern were received we sent them to the resident's home. A few phone calls were received about suspicious drug activities. The Police are on top of this as we want to keep Helmetta a safe haven community. A free rabies clinic will be held on March 27.

Councilman Dzingleski mentioned Breakfast with the Easter Bunny will be on April 8th and it is free. He placed a deposit for 50 tickets for the Trenton Thunder Baseball Game in June with game starting at 1:00 p.m.

Councilman Perez stated that Finance Committee worked in two parts – the operating end and then the rest. As usual it's a tight budget year again but we are pleased with the results. Cuts were made which we thought were important but we did not sacrifice any services. The challenging year was last year but we are past that hurdle. We were under the cap this year. The increase is about \$40.00 per household. They are relatively happy with that but still are trying to make it less.

Councilman Peckham said he will be attending the CDBG meeting on March 25.

Councilwoman Carolan-Genthe announced that Lauren Knapp, Alan Cummings, Carol Kuhn, Jenelle Ledy, Diane Scheicher, Kerry Mc Donald were acknowledged as Teacher of the Year. The girls and boys basketball team made it to States but did not win. DECA went to Washington and they did fairly well. They are now fundraising to go to Nationals in California. March 16, 17 and 18 are the days for the High School play. The PTA is sponsoring a Tricky Tray on April 22. The Municipal Alliance is having a Heroes and Cool Kids program. On April 25, they are having a program for adults only called Hidden in Plain Sight (to teach the parents).

*** SECOND READING OF ORDINANCE**

CAPITAL ORDINANCE NO. 2017-2 - Capital Ordinance amending in part Capital Ordinance No. 2016-2 adopted on July 21, 2016 providing for various Capital Improvements and the acquisition of various Capital Equipment, in order to amend the purpose thereof, authorized in and by the Borough of Helmetta, in the County of Middlesex, NJ

This Ordinance was opened to the Public; there being no one who wished to speak on this ordinance the meeting was Closed to the Public

MOTION – Councilwoman Carolan-Genthe SECOND – Councilman Peckham

ROLL CALL: 4 - 0

ORDINANCE #2017 - 3 An Ordinance amending Chapter 55 – 43 Schedule XVI: Parking during snow removal and other emergencies

This Ordinance was opened to the Public; there being no one who wished to speak on this ordinance the meeting was Closed to the Public

MOTION – Councilwoman Carolan-Genthe SECOND – Councilman Dzingleski

ROLL CALL: 4 - 0

*** FIRST READING OF ORDINANCE**

2017 - 4 – Property Rental and Resale Inspection

MOTION – Councilman Dzingleski SECOND – Councilman Peckham

ROLL CALL: 4 - 0

2017 – 5 An Ordinance amending Chapter 13 of the Code of the Borough of Helmetta, entitled "Police Department".

MOTION – Councilman Dzingleski SECOND – Councilman Perez

ROLL CALL: 4 - 0

* CLOSED SESSION – RESOLUTION # - Personnel

MOTION – Councilman Perez SECOND – Councilman Dzingleski

ROLL CALL: 4 - 0

A MOTION to go into Open Session was made by Councilman Peckham and SECONDED by Councilman Dzingleski. All were in favor.

The Mayor announced the next meeting will be April 19 and the adoption of the Budget will be May 17.

* ADJOURNMENT

A MOTION to adjourn the meeting was made by Councilwoman Carolan-Genthe and SECONDED by Councilman Dzingleski. All were in favor.

Sandra Bohinski, RMC
Municipal Clerk

Proclamation

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals, and other substances; and

WHEREAS, poison centers across the country will focus the public's attention on identifying poisoning hazards at home as well as learning ways to prevent poisoning emergencies; and

WHEREAS, unintentional poisoning is the leading cause of unintentional injury death in New Jersey; and

WHEREAS, drug overdose deaths including prescription pain medicine and heroin remain at epidemic proportions for both New Jersey and the United States. According to the Centers for Disease Control and Prevention (CDC), the majority of drug overdose deaths (more than six out of ten) involve an opioid; and

WHEREAS, a poison is defined as anything that is taken in the wrong amount, in the wrong way or by the wrong person; and

WHEREAS, every poisoning is preventable! From the youngest to the oldest, all people and even pets are at risk; and

WHEREAS, although the majority of reported poison exposures involve children five (5) years old and younger; the majority of poisoning deaths occur in adults aged 20 to 59; and

WHEREAS, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Emergency Medicine of the New Jersey Medical School of Rutgers, The State University of New Jersey, provides expert advice, drug information, and poison prevention education to NJ residents through the 800-222-1222 Poison Help Hotline; and

WHEREAS, all services are free, confidential, multilingual and available 24 hours a day, 7 days a week, 365 days a year even during bouts of Mother Nature; and

WHEREAS, the public can contact a poison expert by calling (1-800-222-1222), chatting (www.njpies.org), or texting (8002221222@njpies.org); and

WHEREAS, consumers must be aware that e-cigarette devices, hookah pipes and liquid nicotine may contain very high doses of nicotine in enticing colors, aromas, and flavors – increasing the likelihood that small children and pets will focus their attention on them. These products pose serious risk of poisoning; and

WHEREAS, poison experts urge residents to use our services as a resource for poison and drug information instead of consulting the internet for information that may not be accurate; and

WHEREAS, we encourage all residents to program the Poison Help Line 800-222-1222 into home, office, and cell phones because a rapid response can make a difference in preventing serious injury and saving lives; and

WHEREAS, the use of poison centers services saves residents both time and money. Most cases are managed in the convenience of the caller's home, requiring no hospital visit; and

WHEREAS, NJPIES is also involved with the state's efforts in homeland defense, counter-terrorism, emergency preparedness and response, bio surveillance, and surveillance for clusters of poisonings and their sources (products, food and beverages, chemicals in the workplace and at home, environmental toxins, drugs and medicine, and animal and insect bites and stings);

NOW, THEREFORE, I, Christopher Slavicek, Mayor of the Borough of Helmetta do hereby proclaim the week of March 19-25, 2017 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

Slavicek, Mayor

Office of the Mayor

Proclamation

Whereas, on January 22, 2017, Sergeant Messler and Officer Fricks responded to a 911 call for emergency regarding a life threatening vein injury within the Borough of Helmetta. and;

Whereas, Officer Fricks used his intuition to take his personal tourniquet into the residents home in which he and Sergeant Messler worked collaboratively to adhere the tourniquet to the area of injury. and;

Whereas, the efforts of these fine law enforcement professionals contributed to the survival of the resident.

NOW THEREFORE, I, Christopher Slavicek, Mayor of the Borough of Helmetta, do hereby issue this special lifesaving commendation to both individuals for their role in coming to the aid of a person in need.

Sergeant Howard Messler

Officer Eric Fricks

On behalf of the People of Helmetta, I offer my heartfelt thanks for a job well done.

IN WITNESS HEREOF, I hereunto set my hand this Fifteenth Day of March, Two Thousand and Seventeen.



Christopher Slavicek, Mayor

RESOLUTION
2017 - 64
TAX IDENTIFICATION STATEMENT

WHEREAS, The Recycling Enhancement Act, P .L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program,

NOW THEREFORE BE IT RESOLVED by the Borough of Helmetta that the Borough of Helmetta hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2016 for 705.60 tons in the amount o \$2,116.80. Documentation supporting this submission is available at the Helmetta Municipal Building and shall be maintained for no less than five years from this date

<u>1st</u>	<u>2nd</u>	<u>Motion</u>			<u>Recorded Vote</u>	
		<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>	
Karczewski				✓		
Carolan-Genthe	✓	✓				
Dzingleski		✓				
Peckham	✓	✓				
Perez		✓				
Reid				✓		

CERTIFICATION

I, Sandra Bohinski, Borough Clerk of the Borough of Helmetta, do hereby certify that the foregoing resolution was duly adopted by the Borough Council of the Borough of Helmetta at a meeting held on the 15th day of March, 2017.

Sandra Bohinski

Sandra Bohinski, RMC
Municipal Clerk

Tonnage	2016
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Jan.	47.37
Feb.	52.16
March	55.87
April	64.51
May	59.65
June	60.8
July	70.34
Aug.	57.49
Sept.	62.7
Oct.	52.35
Nov.	47.74
Dec.	74.62
Total	705.6

BOROUGH OF HELMETTA

RESOLUTION 17-65

TEMPORARY EMERGENCY APPROPRIATION #2

WHEREAS, an emergency condition has arisen in the 2017 Operating Budgets with respect to additional cost prior to the adoption of the 1 d N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation, and;

WHEREAS, the total Emergency Temporary Resolutions adopted in the year 2017 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution totals \$674,945.00 (six hundred seventy-four thousand nine hundred and forty-five dollars), and;

Now, therefore, be it resolved, that in accordance with N.J.S.A. 40A:4-20:

1. An Emergency Temporary Appropriation be and the same is hereby made for:

Current Fund		
General Administration		
	Salaries and Wages	2,000.00
	Other Expenses	300.00
Municipal Clerk	Salaries and Wages	1,000.00
	Other Expense	500.00
Financial Administration		
	Salaries and Wages	3,000.00
	Other Expenses	3,000.00
Recycling Solid Waste	Salary and Wages	2,000.00
Revenue Administration (Collection of Taxes)	Salaries and Wages	1,000.00
	Other Expenses	1,000.00

Tax Assessment and Administration (Assessment of Taxes)		
	Salaries and Wages	2,000.00
	Other Expenses	1,000.00
Legal Services and Costs		
	Other Expenses	10,000.00
Planning Board	Salaries and Wages	500.00
Police	Salaries and Wages	65,000.00
	Other Expenses	2,000.00
	Vehicle Maintenance	2,000.00
Municipal Court	Salaries and Wages	5,000.00
	Other Expenses	1,000.00
Public Works	Other Expenses	1,000.00
	Vehicle Maintenance	1,000.00
	Salaries and Wages	35,000.00
Lease- Purchase Vehicles	Other Expenses	8,000.00
Animal Control	Salary and Wages	500.00
	Other Expenses	1,000.00
PERS Contribution		23,353.00
PFRS Contribution		74,542.00
Early Retirement Incentive Program		6,424.00
Uniform Construction Code		
	Salary and Wages	500.00
Natural Gas Heating	Other Expenses	3,000.00

Health Insurance Employee		35,000.00
Fire Prevention Bureau	Salary and Wages	1,000.00
Municipal Prosecutor	Other Expenses	1,000.00
Recreation	Other Expenses	3,000.00
Parks	Other Expenses	500.00
Electricity	Other Expenses	5,000.00
Street Lighting	Other Expenses	5,000.00
Telephone Costs	Other Expenses	3,000.00
Postage	Other Expenses	2,000.00
Copying	Other Expenses	2,000.00
Social Security		10,000.00
Interlocals		
Middlesex Co Recycling Program		5,000.00
Total Current Fund		329,119.00
Water Utility Fund		
	Salaries and Wages	20,000.00
	Other Expenses	(36,625.00)
	Purchase of Water	100,000.00
Payment of USDA Loan		39,256.00
PERS Contribution		7,785.00
Social Security		1,000.00
Total Water Utility Fund		168,041.00

Sewer Utility Fund		
	Salary and Wages	20,000.00
	Other Expenses	(52,000.00)
	Monroe MUA Charges	150,000.00
PERS Contribution		7,785.00
Total Sewer Utility Fund		177,785.00
Grand Total		674,945.00

	<u>Motion</u>			<u>Recorded Vote</u>		
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Karczewski					✓	
Carolan-Genthe	✓		✓			
Dzingleski			✓			
Peckham		✓	✓			
Perez			✓			
Reid					✓	

CERTIFICATION

I, Sandra Bohinski, Borough Clerk of the Borough of Helmetta, do hereby certify that the foregoing resolution was duly adopted by the Borough Council of the Borough of Helmetta at a meeting held on the 15th day of March, 2017.

Sandra Bohinski
Sandra Bohinski, RMC
Municipal Clerk

RESOLUTION
#2017 - 66

**RESOLUTION AUTHORIZING REIMBURSEMENT TO
REGENCY WALK HOMEOWNERS ASSOCIATION PURSUANT
TO N.J.S.A. 40:67-23.2 et seq., AS AMENDED, FOR THE YEAR
2016**

WHEREAS, Regency Walk Homeowners Association (the "Association") is a qualified private community pursuant to Chapter 299, Public Law 1989, as amended (the "Law"); and

WHEREAS, the Borough of Helmetta is required to reimburse the Association for certain municipal services pursuant to the Law; and

WHEREAS, if the Borough provides reimbursement to the Association for certain municipal services, the reimbursement shall not exceed the amount that the Borough would have expended to provide the equivalent services; and

WHEREAS, the Borough and the Association entered into an Agreement around March 17, 2004 establishing the reimbursement procedure for covered municipal services; and

WHEREAS, the Public Works Director has determined that, under the Borough's agreements in place for 2016, it would have cost the Borough \$1111.40 to provide snow removal services to Regency Walk; and

WHEREAS, the Association submitted bills from Jersey Central Power & Light for street lighting for the year 2016 in the amount of \$2781.38; and

WHEREAS, the Public Works Director has determined that, under the Borough's agreements in place for 2015, it would have cost the Borough \$302.64.00 to perform comparable leaf recycling services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Helmetta that the Chief Financial Officer be and is hereby authorized to issue a check in the amount of \$4195.42 to Regency Walk Homeowners Association representing 2016 snow removal reimbursement of \$1111.40, 2016 street light reimbursement of \$2781.38 and leaf recycling reimbursement of \$302.64.

<u>1st</u>	<u>2nd</u>	<u>Motion</u>			<u>Recorded Vote</u>	
		<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>	
Karczewski				✓		
Carolan-Genthe	✓	✓				
Dzingleski		✓				
Peckham	✓	✓				
Perez		✓				
Reid				✓		

CERTIFICATION

I, Sandra Bohinski, Borough Clerk of the Borough of Helmetta, do hereby certify that the foregoing resolution was duly adopted by the Borough Council of the Borough of Helmetta at a meeting held on the 15th day of March, 2017.

Sandra Bohinski
Sandra Bohinski, RMC
Municipal Clerk

RESOLUTION

#2017 -67

CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Lori Russo, was custodian of the Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Borough of Helmetta is changing custodians to Matthew Crane; and

WHEREAS, Matthew Crane is bonded in the amount of \$1,000,000.00 by virtue of a Surety bond.

NOW , THEREFORE BE IT RESOLVED that the Borough of Helmetta, County of Middlesex hereby authorizes such action and two copies of the resolution be filed with The Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Adopted this 15th day of March, 2017
Certified as a true copy of an original.

Sandra Bohinski

Sandra Bohinski, RMC
Municipal Clerk

<u>1st</u>	<u>Motion</u>			<u>Recorded Vote</u>	
	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Karczewski				✓	
Carolan-Genthe	✓	✓			
Dzingleski		✓			
Peckham	✓	✓			
Perez		✓			
Reid				✓	

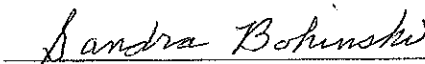
RESOLUTION
#2017 – 68
PAYMENT OF BILLS

Payment of bills as per the bill list.

<u>1st</u>	<u>2nd</u>	<u>Motion</u>		<u>Absent</u>	<u>Recorded Vote</u>	
		<u>Aye</u>	<u>Nay</u>		<u>Abstain</u>	
Karczewski				✓		
Carolan-Genthe	✓	✓				
Dzingleski		✓				
Peckham	✓	✓				
Perez		✓				
Reid				✓		

CERTIFICATION

I, Sandra Bohinski, Borough Clerk of the Borough of Helmetta, do hereby certify that the foregoing resolution was duly adopted by the Borough Council of the Borough of Helmetta at a meeting held on the 15th day of March, 2017.



Sandra Bohinski, RMC
Municipal Clerk

Withdrawn

RESOLUTION

#2017- 69

**A RESOLUTION FOR THE BOROUGH OF HELMETTA AUTHORIZING THE
BOROUGH TO ENTER INTO A LEASE-PURCHASE AGREEMENT WITH
WINNER FORD FOR ONE (1) 2017 POLICE INTERCEPTOR UTILITY FOR
THE HELMETTA POLICE DEPARTMENT**

WHEREAS, the Borough of Helmetta Police Department must maintain a standard number of vehicles to be available for duty at all times.

WHEREAS, the Borough of Helmetta desires to authorize the purchase of the following:

One (1) 2017 Police Interceptor Utility N.J. Contract # 88728 with options in the amount of \$26,218.00, installation of equipment N.J. Contract # 81165 and lighting options N.J. Contract # 81336 in the amount of \$6,389.58

WHEREAS, the funding of the above mentioned vehicles will be financed through the three year lease purchase program offered through the Ford Credit Municipal Finance Program

NOW BE IT RESOLVED, by the Borough Council of the Borough of Helmetta hereby authorizes the purchase of the above mentioned vehicle with Winner Ford, 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 for \$32,607.58 with funds made available Ford Credit Municipal Finance Program with annual lease amount of \$11,700.67. Funds will be provided for in the Municipal budgets year 2017.

<u>1st</u>	<u>Motion</u>				<u>Recorded Vote</u>	
	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>	
Karczewski						
Carolan-Genthe						
Dzingleski						
Peckham						
Perez						
Reid						

Withdrawn

CERTIFICATION

I, Sandra Bohinski, Borough Clerk of the Borough of Helmetta, do hereby certify that the foregoing resolution was duly adopted by the Borough Council of the Borough of Helmetta at a meeting held on the 15th day of March, 2017.

Sandra Bohinski, RMC
Municipal Clerk

RESOLUTION
#2017 – 70

APPOINTMENT OF ACTING MUNICIPAL CLERK

WHEREAS, there will be a temporary vacancy in the position of Municipal Clerk in the Borough of Helmetta; and

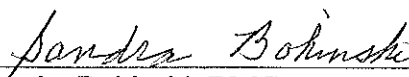
WHEREAS, during the interim vacancy period beginning April 4, 2017 and ending approximately May 10, 2017 the Borough Council desires to fill the vacant position until the Municipal Clerk returns.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Helmetta does hereby appoint Matthew Crane, Acting Municipal Clerk, and to assume
the authority and duties of the position

<u>1st</u>	<u>2nd</u>	<u>Motion</u>			<u>Recorded Vote</u>	
		<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>	
Karczewski				✓		
Carolan-Genthe	✓	✓				
Dzingleski		✓				
Peckham	✓	✓				
Perez		✓				
Reid				✓		

CERTIFICATION

I, Sandra Bohinski, Borough Clerk of the Borough of Helmetta, do hereby certify that the foregoing resolution was duly adopted by the Borough Council of the Borough of Helmetta at a meeting held on the 15th day of March, 2017.



Sandra Bohinski, RMC
Municipal Clerk

RESOLUTION
#2017 – 71
CONSENT AGENDA

The following routine items and resolutions were adopted in unison as a Consent Agenda:

* CONSENT AGENDA – RESOLUTION # 71

Report of Municipal Clerk and Tax Collector

RESOLUTIONS:

2017 – 64 Tax Identification Statement

65 Temporary Appropriation #2

66 Reimbursement to Regency Walk Homeowners Association

67 Change in Custodian of Petty Cash

68 Payment of bills

69 Lease Purchase Agreement with Winner Ford for 2017 Police Interceptor

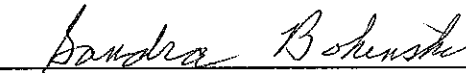
Utility

70 Appointment of Acting Municipal Clerk

	<u>Motion</u>			<u>Recorded Vote</u>		
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Karczewski						✓
Carolan-Genthe	✓		✓			
Dzingleski			✓			
Peckham		✓	✓			
Perez			✓			
Reid						✓

CERTIFICATION

I, Sandra Bohinski, Borough Clerk of the Borough of Helmetta, do hereby certify that the foregoing resolution was duly adopted by the Borough Council of the Borough of Helmetta at a meeting held on the 15th day of March, 2017.


 Sandra Bohinski, RMC
 Municipal Clerk

**BOROUGH OF HELMETTA
COUNTY OF MIDDLESEX
CAPITAL ORDINANCE NO. 2017-2**

CAPITAL ORDINANCE AMENDING IN PART CAPITAL ORDINANCE NO. 2016-2 ADOPTED ON JULY 21, 2016 AND PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, IN ORDER TO AMEND THE PURPOSE THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF HELMETTA, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Borough of Helmetta, in the County of Middlesex, New Jersey (the "Borough") finally adopted Capital Ordinance No. 2016-2 on July 21, 2016 (the "Prior Ordinance"), providing for various capital improvements and the acquisition of various capital equipment in and by the Borough; and

WHEREAS, the Borough has determined that the project description set forth in the Prior Ordinance needs to be amended, without increasing the aggregate appropriation or debt authorization for said purposes; and

WHEREAS, the Borough has available \$30,600 in the Borough's General Capital Improvement Fund, \$20,700 in the Borough's Water Capital Improvement Fund, and \$1,700 in the Borough's Sewer Capital Improvement Fund.

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

Section One. Section 2 of the Prior Ordinance is hereby amended to read as follows:

Section 2. The improvements hereby authorized to be undertaken consist of: (i) various capital improvements, including the preliminary New Jersey Department of Transportation (NJDOT) design; police department office improvements; and water tank repair, including cathodic protection, disinfection, and the acquisition and utilization of corrosion control equipment; and (ii) the acquisition of various capital equipment, including fire equipment; and computer equipment, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section Two. The 2017 capital budget of the Borough will conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local

Government Services is on file with the Borough Clerk and is available there for public inspection.

Section Three. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section Four. All other provisions of the Ordinance remained unchanged.

Section Five. This ordinance shall take effect as provided by law.

**ORDINANCE
2017 - 3**

**AN ORDINANCE AMENDING CHAPTER 55 - 43 SCHEDULE
XVI: PARKING DURING SNOW REMOVAL AND OTHER
EMERGENCIES**

**In accordance with the provisions of Section 55-23, no vehicles shall be parked
upon
any of the following streets or parts of streets during snow emergencies; be it
amended
that the following included in the list of streets be amended to read::**

**NORTH 13TH STREET
(FROM NORTH 13TH STREET TO AVENUE A)**

This ordinance shall be published as according to law.

This ordinance shall take effect as provided by law.

**ORDINANCE
#2017 - 4**

PROPERTY RENTAL AND RESALE INSPECTION

(sent to you separately)

PROPERTY RENTAL AND RESALE INSPECTION.

I.

Adoption of standards by reference.

A.

Property Maintenance Code. The International Property Maintenance Code 2006, together with all amendments, supplements, revisions and updates, as the same are approved and published every three years by the Building Officials and Code Administrators International, Inc., be and it is hereby adopted as the Property Maintenance Code of the Borough of Helmetta in the State of New Jersey for the control of all buildings and structures, both residential and commercial, and industrial which are located within the Borough of Helmetta, and a copy of the International Property Maintenance Code 2006 shall be on file in the Department of Code Enforcement and Zoning of the Borough of Helmetta.

B.

Hotel and Multiple The Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-1 et seq. and N.J.A.C. 5:10-1 et seq., is hereby adopted and incorporated herein for the maintenance and control of all hotel and multiple dwellings as defined by the Hotel and Multiple Dwelling Law, and copy of said documents shall be on file in the Office of Code Enforcement of the Borough of Helmetta.

C.

Uniform Fire Code. The Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq. and N.J.A.C. 5:18-1 et seq. is hereby adopted and incorporated herein for the purpose of establishing a system for the enforcement of minimum fire standards for all buildings and structures located within the Borough of Helmetta.

II.

Registration.

A.

Every owner of any building or structure, other than owner-occupied one and two-family, which comes under the provisions of this article, shall, within thirty (30) days of the enactment of this article, file with the Borough of Helmetta, a written registration statement (hereinafter referred to as an "owner registration statement") upon a form

designated by the Department of Code Enforcement and made available to the public, said form shall contain the following information:

1.

The names and addresses of the owners in title of the property.

2.

If the record owner is a corporation, the names of the registered agent that will accept all legal notices on behalf of the corporation.

3.

If the owner is an entity other than an individual, the name and address of each partner and/or owner or person having a beneficiary interest; in the case of a corporation, the names and addresses of each stockholder if the total number of stockholders is twenty (20) or fewer. In any event, with regard to corporate ownership, the registry shall disclose the names and addresses of any stockholder who either owns directly or beneficially ten (10%) percent of the stock of the corporation.

4.

The names, address and telephone number of the managing agent of the premises, if any.

5.

The name, address and telephone number, including the dwelling unit, apartment or room number, of the superintendent, janitor, custodian or other individual employed by the record owner or managing agent to provide regular maintenance service, if applicable.

6.

The name, address and telephone number of an individual or representative of the record owner or managing agent who may be reached or contacted at any time in the event of an emergency affecting the premises or property or any unit or dwelling or commercial space therein, who has authority to make emergency decisions concerning the building or property and any repair thereto or expenditure in connection therewith.

7.

The number of dwelling or commercial/business/industrial units and the names and addresses of each tenant currently residing therein. Whenever there is a change in tenancy, the owner shall notify the Department of Code Enforcement and Zoning in writing with the names of the tenants and the dwelling unit numbers. If applicable, the number of bedrooms shall be provided along with the total number of persons dwelling therein.

8.

All residential tenancies and/or leaseholds shall require window guards whenever any occupants are ten (10) years of age or younger as per N.J.A.C. 5:10-27.1 et seq. as amended.

9.

Notwithstanding, anything that may be set forth in any other Chapter and/or Section of the Revised General Ordinances of the Borough of Helmetta, the requirements of this Section shall be applicable to every building in the Borough. Should a conflict arise regarding the standard to be applied in determining compliance with the requirements of this or any other Chapter and/or Section of the Revised General Ordinances of the Borough, the within standards shall control.

B.

Said form shall be obtained from and filed with the Construction Official.

III.

Inspections.

A.

Property Maintenance Code. The Borough of Helmetta shall have the right to conduct inspections on all structures that come within this article. All inspections conducted pursuant to this article shall be performed in accordance with the procedures set forth in the current International Property Maintenance Code with the exception that any inspections conducted pursuant to the Uniform Fire Code shall be performed in accordance with the provisions set forth in the Uniform Fire Code and any inspection under the Hotel and Multiple Dwelling Law shall be performed in accordance with the Hotel and Multiple Dwelling Law. The Borough of Helmetta may at any time contract with third party agencies to conduct said inspections.

B.

Certificate of Rental Compliance. No person, agency, corporation, partnership, firm, company, owner, real estate agent, broker or any other individual shall hereafter rent, lease or sublet to another or allow any person or persons to live in or occupy as a tenant or otherwise or suffer or permit any change in occupancy or use of any building, dwelling or dwelling unit or part thereof without first obtaining from the Department of Code Enforcement and Zoning, a Certificate of Rental Compliance stating that at the time of the proposed rental lease or subletting by such person the premises complied with all applicable ordinances of the Borough of Helmetta. This section does not apply to a single-family dwelling where the registered owner resides therein.

C.

In the event the owner or lessor of a premises fails to correct a nuisance, defect or other violation, following proper notice of same, the Borough may take all necessary and appropriate actions to abate said nuisance, correct said defect or violation or put said premises in proper condition in accordance with state laws and local ordinances at the cost of the owner or lessor. Pursuant to N.J.S.A. 40:48-2.12(f), the cost expended by the municipality for such purpose shall be charged to the owner or lessor and shall become a lien against said premises as provided by law.

IV.

Procedures.

A.

Property Maintenance Code. All inspections conducted pursuant to this article shall be performed in accordance with the procedures set forth in the International Property Maintenance Code with the exception that any inspections conducted pursuant to the Uniform Fire Safety Act shall be performed in accordance to said Act and any inspections pursuant to the Hotel and Multiple Dwelling Law shall be conducted in accordance and procedures set forth therein.

B.

Certificate of Rental Compliance. The Department of Code Enforcement and Zoning shall make available appropriate application forms for certificate of leased occupancy and shall make said forms available in the office of the Department of Code Enforcement and Zoning. These forms shall be obtained and completed by the owner,

agent, or broker of such rental property. All required inspections shall be completed as evidenced by the issuance of a Certificate of Rental Compliance before the continued occupancy of the unit(s) occurs. The landlord shall make application for an inspection under this section at least ten (10) business days prior to the intended new tenancy and the certificate of rental compliance shall be issued before a new tenancy is permitted. The Department of Code Enforcement and Zoning shall make an inspection and issue a certificate of compliance, if the dwelling unit complies with the Property Maintenance Code of the Borough of Helmetta.

C.

Certificate of Resale Compliance for all property at time of sale. The Department of Code Enforcement and Zoning shall make available appropriate application forms for a certificate of resale compliance and shall make said forms available at its office. These forms shall be completed by the owner, agent, realtor, or broker of all properties before a certificate of compliance is granted and before change of ownership and subsequent occupancy occurs. The owner shall make application for an inspection under this section at least ten (10) business days prior to the intended date of sale or other form of change in ownership. The Department of Code Enforcement shall make an inspection and issue a certificate of compliance if the dwelling complies with the Property Maintenance Code of the Borough of Helmetta.

D.

The certificate of rental and resale compliance as set forth above shall be valid for a period of sixty (60) days from the date of issue.

E.

Violations of any requirement of this chapter must be corrected by the owner of the unit/property before the issuance of a certificate of compliance. The responsibility for correction of a violation, except in the case of a rental, may be assumed by the buyer, with the written notification and approval of the seller, buyer and Department of Code Enforcement and Zoning. At the time of assumption of responsibility, a conditional certificate of compliance may be issued and the violation shall be corrected by the buyer within thirty (30) days of the date of issuance of the conditional certificate of compliance. Said conditional certificate of compliance may be extended for additional thirty-day periods for a total time not to exceed ninety (90) days from the date of the issuance of

the original conditional certification. Such extensions shall be granted by the Department of Code Enforcement and Zoning taking into consideration the nature of the work necessary to abate any violation and the progression of the work to date.

F.

Any violation of the electrical code or plumbing code which poses a major threat to the health, safety or welfare of any potential occupant in the opinion of the Electrical or Plumbing Sub code Inspector shall be corrected prior to the issuance of any conditional or final certificate of compliance.

V.

Fees.

A.

For a certificate of rental compliance applicable to any property, the fee shall be as follows:

1.

Inspection requests scheduled more than five (5) business days prior to the rental date shall have a fee of seventy-five (\$75.00) dollars and if a re-inspection is necessary, a fee of fifty (\$50.00) dollars shall be required.

2.

Inspection requests scheduled five (5) or less business days prior to the rental date shall have a fee of one hundred twenty-five (\$125.00) dollars and if a re-inspection is necessary, a fee of seventy-five (\$75.00) dollars shall be required.

B.

For a certificate of resale compliance applicable to any property, the fee shall be as follows:

1.

Inspections requests scheduled more than ten (10) business days prior to the closing date shall have a fee of one hundred (\$100.00) dollars.

The initial re-inspection, if necessary, shall have no fee.

2.

Inspections requested to be scheduled four to ten (10) business days prior to the closing shall have a fee of one hundred fifty (\$150.00) dollars.

The initial re-inspection, if necessary, shall have a fee seventy-five (\$75.00) dollars.

3.

Inspections requested to be scheduled less than four business days prior to closing shall have a fee of two hundred dollars (\$200.00).

The initial re-inspection, if necessary, shall have a fee one hundred (\$100.00) dollars.

C.

The fee for each additional re-inspection that may be necessary resulting from any denial shall be one hundred fifty (\$150.00) dollars.

D.

All said fees shall be paid with the application for inspection and/or with the request for reinspection. The fee for the fire inspection shall be that which is established in the Uniform Fire Safety Act set forth in said Act and the Revised General Ordinances of the Borough of Helmetta.

VI.

Enforcement.

A.

Property Maintenance Code. The International Property Maintenance Code which has been adopted by the Borough of Helmetta and has been further set forth herein shall be enforced by the Department of Code Enforcement and Zoning through the Construction Official and/or the Code Enforcement Officers. All penalties specified in the International Property Maintenance Code have been recognized and adopted by the Borough of Helmetta and therefore are enforceable through the Department. The Fire Official shall enforce the Uniform Fire Safety Code. The Borough of Helmetta may at any time contract with third-party agencies with respect to the inspections and enforcement of said code.

B.

The penalty for failure to register property as set forth in this article shall be enforced by the Municipal Court of the Borough of Helmetta and said penalty shall not exceed two hundred fifty (\$250.00) dollars on a first offense and shall not exceed the maximum allowed by law for subsequent offenses.

ORDINANCE

2017 - 5

**AN ORDINANCE AMENDING CHAPTER 13 OF
THE CODE OF THE BOROUGH OF HELMETTA,
ENTITLED "POLICE DEPARTMENT"**

WHEREAS, the Borough Code of the Borough of Helmetta (the "Borough") currently contains Chapter 13, entitled "Police Department" which establishes and governs the Police Department within the Borough; and

WHEREAS, the Borough desires to amend Chapter 13 of the Borough Code in order to restructure the Police Department by amending the table of organization; and

WHEREAS, the goal of said ordinance is to allow the Police Department to run in a more efficient and orderly manner to serve the residents and guests of the Borough.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Helmetta that Chapter 13 of the Borough Code entitled, "Police Department" is hereby amended as follows (additions underscored, deletions struck-through):

1. Chapter 13, Section 1 entitled "Establishment" shall be amended as follows:

§ 13-1 Establishment.

Section 13-1(B):

There shall be a Department of Police in accordance with N.J.S.A. 40A:14-118. The Police Department table of organization shall not exceed more than nine (9) officers in total in the following positions at the sole discretion of the Governing Body of the Borough of Helmetta:

- (a). One (1) Chief of Police
- (b). Not more than two (2) sergeants
- (c). Not more than six (6) patrol officers

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions

so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective;
and

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

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

DATE INTRODUCED:

DATE ADOPTED:

APPROVED:

CHRISTOPHER SLAVICEK, MAYOR

ATTEST:

SANDRA BOHINSKI, BOROUGH CLERK