

**MEETING OF MAYOR AND COUNCIL
MARCH 23, 2011**

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

Mayor Martin called the meeting to order at 7:03 p.m. Adequate notice of this meeting was provided as is required by the Open Public Meetings Law with publication in The Home NewsTribune and posting in the Municipal Building. All present Pledged Allegiance to the Flag.

*** CALLING OF THE ROLL:**

Clmn. Peckham
Asciolla - absent
Janeczek
Karczewski (arrived 7:05 p.m.)
Perez
Smith

*** PUBLIC PORTION**

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

*** INTRODUCTION OF BUDGET**

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

*** CONSENT AGENDA – RESOLUTION # 2011 - 94**

REPORT of Municipal Clerk, Tax Collector, Utility Revenue Collector

RESOLUTIONS:

88 - Resolution authorizing the Tax Collector to issue a Veterans Deduction for 1810 Tanglewood Court and identified on the Borough's Tax Map as Block 21, Lot 7.1, CO1810

89 - Resolution amending 2011 Temporary Budget Appropriations

90 - Transfer of Funds

91 - Payment of bills

92 - Resolution of the Borough of Helmetta authorizing Payment # 5 to Dell-Tech, Inc. in the amount of \$158,720.33 and Change Order #1 in the amount of \$5,217.00

93 – Resolution opposing Senate Bill S-2794 which proposes to threaten Municipal voters with the Diminishment of future property tax relief funding

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

ROLL CALL: 5 - 0

*** REPORTS OF MAYOR, BOROUGH ATTORNEY,
BOROUGH ENGINEER, PUBLIC WORKS, PUBLIC SAFETY**

The Mayor and Borough Attorney had no report.

Public Works Director Darren Doran spoke on the work of the County project with the culvert and the need to close Main Street. A meeting was held and it was decided that it would be best to have Main Street completely closed for 10 weeks in comparison to having it partially closed for 20 weeks.

Clmn. Smith suggested that an extra sign be placed because there is going to be trouble with trucks going on Old Forge Road.

MUA contacted Darren about heavy flows in meter pit 2. Brandon and some their men checked Manholes and brought in cameras. They couldn't identify where the water is coming from and Joe fom MUA will be monitoring it. 000120

**MEETING OF MAYOR AND COUNCIL
MARCH 23, 2011 - Page 2**

Clmn. Peckham attending a meeting with the CDBG and they were told that there will be a 10% cut, for every municipality, in the grant that we receive. Clmn. Peckham asked if the fill at the playground can be fluffed up. Darren said it actually should be compacted. The Mayor asked if people are to be walking on the dock and was told no; she was told there were no trespassing signs there but she said she didn't see any and people were on the dock.

*** ORDINANCE NO. 2011 - 2 (Second Reading)**

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) IN THE BOROUGH OF HELMETTA, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

The ordinance was opened to the Public. There being no one from the Public who wished to speak on this ordinance, the ordinance was closed to the Public.

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

*** FIRST READING OF ORDINANCES:**

ORDINANCE # 2011 - 3

AN ORDINANCE AMENDING CHAPTER 34 OF THE CODE OF THE BOROUGH OF HELMETTA ENTITLED "FIRE PROTECTION" IN ORDER TO ESTABLISH REGULATION AND INSPECTION OF PHOTOVOLTAIC SYSTEMS IN THE BOROUGH

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

ORDINANCE # 2011 - 4

AN ORDINANCE OF THE BOROUGH OF HELMETTA AUTHORIZING THE APPROPRIATION OF \$500,000.00 FROM THE MIDDLESEX COUNTY OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR PARK IMPROVEMENTS TO HELMETTA LAKE PARK

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

ORDINANCE # 2011 - 5

AN ORDINANCE OF THE BOROUGH OF HELMETTA AUTHORIZING THE APPROPRIATION OF \$191,422.00 FOR IMPROVEMENTS TO MAPLE STREET, JOHN STREET AND WASHINGTON STREET, AND TO APPROPRIATE \$20,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND AND \$171,422.00 FROM THE NJDOT DISCRETIONARY AID GRANT

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

ORDINANCE #2011 -6

AN ORDINANCE OF THE BOROUGH OF HELMETTA ESTABLISHING A FEE SCHEDULE FOR THE ANIMAL SHELTER

MOTION – Clmn. Peckham **SECOND** – Clmn. Smith
ROLL CALL: 4 - 0 - 1

000121

MEETING OF MAYOR AND COUNCIL
MARCH 23, 2011 - Page 3

*** NEW BUSINESS**

USDA – appeal has been filed. To qualify rural communities must be primarily served and we listed towns that have 20,000+. Since we are rural they are going to do a record review.

County Bond – We have to see if Ziggy sent the bond.

Reassessments – It would be best for all the residents if the entire town was reassessed and Tax Assessor, Ken Pacera, should be authorized to get a reassessment in place.

Police Dept. – There was article about shared services with various Police Departments and the Mayor received a phone call that we were on the chopping block with the State.

Auction – The Police Dept. has some items that we can auction and a notice will be sent to all departments to see if they have any items for auction.

JCP&L will be doing an aerial survey via helicopters beginning March 25 for three weeks.

FEMA – we still have not received any funds from them for the December storm.

RABIES CLINIC – Ninety-eight cats/dogs received rabies vaccination at the clinic.

Jamesburg Senior Citizens – Beverly Hobbs called and said they are accepting membership from Helmetta. The Mayor asked that Regency be notified of this.

Dorothy Fisko commented that along Helmetta Boulevard there are a lot of dead trees. The Mayor asked that she write a letter to the Borough that we can forward it on to the County.

*** RESOLUTION 2011-95 CLOSED SESSION – Personnel and Contract Negotiations**
MOTION – Clmn. Smith SECOND – Clmn. Peckham

All in favor.

A **MOTION** was made by Clmn. Peckham and **SECONDED** by Clmn. Karczewski to go into Open Session. All in favor.

*** RESOLUTION APPOINTING JAMES APGAR AS BOROUGH EMPLOYEE**

MOTION – Clmn. Smith SECOND – Clmn. Peckham

ROLL CALL: 5-0

*** ADJOURNMENT**

There being no further business, a **MOTION** was made by Clmn. Peckham and **SECONDED** by Clmn. Karczewski to adjourn the meeting at 8:40 p.m. All were in favor.

Sandra Bohinski, RMC
Municipal Clerk

900122

Report of Municipal Clerk

FEBRUARY, 2011		Copies	Marr Lic	Plng Bd	Towing	Licenses	Lndlr Reg
Williams	\$100.00						\$100.00
Goldstein	\$100.00						\$100.00
Aggo	\$700.00						\$700.00
Osowski	\$100.00						\$100.00
Palmer	\$100.00						\$100.00
Stollen	\$100.00						\$100.00
Parasor	\$100.00						\$100.00
Pachuta	\$28.00		\$28.00				
Febinger	\$0.80	\$0.80					
	\$1,328.80	\$0.80	\$28.00				\$1,300.00

Dog & Cat Licnses	Licenses	\$389.00
----------------------	----------	----------

Borough of Helmetta

REPORT OF THE TAX COLLECTOR

Month of: February, 2011

Dated: March 7, 2011

Taxes - 2011 \$ 857,770.87
Taxes - 2010 \$ 10,700.25

Interest \$ 854.25
Costs
Tax search
Return Check fee
Search Printouts
Duplicate Bill Fee \$ 25.00
Misc.

TOTAL \$ 869,350.37

Tax Collectors Trust

Prior Balance \$19,800.00
Receipts \$ 3,244.40

Disbursements

1018 \$ (438.48)
1019 \$ (100.00)
1020 \$ (1,814.99)
1021 \$ (200.00)
1022 \$ (990.93)
1023 \$ (200.00)

Balance \$19,300.00

Denise Jawidzik

Denise Jawidzik

Tax Collector

ADJUSTMENTS

Closing Balances

	Debit	Credit	
Tax			
2011	\$1,310,611.09	\$(159.54)	\$1,3
Tax			
2010	\$ 88,379.52	\$ (419.22)	\$87
		\$ -	-

000124

Water/Sewer Receipts Report

February 2011

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
2007 Principal	\$ -	\$ -	\$ -
2008 Principal	-	-	-
2009 Principal			
2010 Principal	4,726.19	3,778.85	8,505.04
2011 Principal	<u>32,129.55</u>	<u>38,028.14</u>	<u>70,157.69</u>
Subtotal	36,855.74	41,806.99	78,662.73
Interest	<u>160.29</u>	<u>138.13</u>	<u>298.42</u>
Subtotal	37,016.03	41,945.12	78,961.15
Final Water Reads	-	-	-
Returned Checks	-	-	-
Payment Reversal	-	-	-
NSF Bank Fees	25.00	-	25.00
Duplicate Bill Fee - W&S	15.00		
Connection Fee	-	-	-
New Water Meter Fee	-	-	-
Transfer in from Tax	-	-	-
Transfer out to Tax	<u>-</u>	<u>-</u>	<u>-</u>
Total Deposits	<u>\$37,056.03</u>	<u>\$ 41,945.12</u>	<u>\$ 79,001.15</u>

Carol Feig
Utility Revenue Collector

000125

RESOLUTION # 2011 – 94

CONSENT AGENDA

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

REPORT of Municipal Clerk, Tax Collector, Utility Revenue Collector

RESOLUTIONS:

- 88 - Resolution authorizing the Tax Collector to issue a Veterans Deduction for 1810 Tanglewood Court and identified on the Borough's Tax Map as Block 21, Lot 7.1, C01810
- 89 - Resolution amending 2011 Temporary Budget Appropriations
- 90 - Transfer of Funds
- 91 - Payment of bills
- 92 - Resolution of the Borough of Helmetta authorizing Payment # 5 to Dell-Tech, Inc. in the amount of \$158,720.33 and Change Order #1 in the amount of \$5,217.00
- 93 - Resolution opposing Senate Bill S-2794 which proposes to threaten Municipal voters with the Diminishment of future property tax relief funding

MOTION – Clnn. Smith

SECOND – Clnn. Peckham

ROLL CALL: 5 - 0

RESOLUTION #2011 – 88

**RESOLUTION AUTHORIZING THE TAX COLLECTOR
TO ISSUE A VETERANS DEDUCTION FOR 1810 TANGLEWOOD
COURT AND IDENTIFIED ON THE BOROUGH'S TAX MAP AS
BLOCK 21, LOT 7.1, C01810**

WHEREAS, the Borough Tax Collector has received an application for a Veterans Deduction in the amount of \$250.00 for 2010 taxes on property located at and identified on the Borough's tax map as Block 21, Lot 7.1, Co1810 (the "Property"); and

WHEREAS, the Borough Tax Collector requests authorization from the Borough Council to issue such a deduction to the owner of the Property.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Borough Tax Collector is hereby authorized to issue a Veterans Deduction to the Property's owner; and

BE IT FURTHER RESOLVED that the Borough's Tax Collector is directed to make an adjustment in the amount of \$250.00 to the Property's owner, William Paolo, 1810 Tanglewood Court, Helmetta, NJ 08828.

RESOLUTION #2011- 89

RESOLUTION AMENDING 2011 TEMPORARY BUDGET APPROPRIATIONS

WHEREAS, in the normal operation of the business of the Borough of Helmetta, it will be necessary for making contracts, commitments and payments prior to the adoption of the regular 2011 budget for the Borough of Helmetta; and

WHEREAS, revised Statute 40A:4-19 of the State of New Jersey provides that the Governing Body of any municipality may make temporary appropriations to provide for any contracts, commitments or payments to be made between the beginning of the budget year and the adoption of the final budget; and

WHEREAS, the 2011 budget will not be adopted until after April 1 and commitments need to be covered until the date of adoption; and

NOW, THEREFORE, BE IT RESOLVED that the following list of appropriations shall constitute an amendment to the 2011 temporary budget of (\$24,625.00) for the Borough of Helmetta, Middlesex County, New Jersey.

	2011 TEMPORARY BUDGET	TEMP BUDGET AMENDMENT 3/23/11
<u>CURRENT FUND</u>		
General Administration S&W	3,375.00	0.00
General Administration OE	125.00	0.00
Mayor and Council OE	1,000.00	0.00
Mayor and Council OE-School Board Oversight	750.00	0.00
Mayor and Council OE-Website Administration	1,500.00	0.00
Municipal Clerk S&W	4,375.00	0.00
Municipal Clerk OE	1,875.00	0.00
Financial Administration S&W	6,000.00	0.00
Financial Administration OE	5,000.00	0.00
Bank Charges	0.00	(1,000.00)
Audit Services	0.00	0.00
Revenue Administration (Collection of Taxes) S&W	5,000.00	0.00
Revenue Administration (Collection of Taxes) OE	2,500.00	0.00
Tax Assessment Administration S&W	2,937.50	0.00
Tax Assessment Administration OE	875.00	0.00
Elections	0.00	0.00
Legal Services and Costs OE	12,500.00	0.00
Engineering Services and Costs OE	750.00	0.00
Planning Board S&W	675.00	0.00
Planning Board OE	1,175.00	0.00
Planning Board OE-Legal	1,250.00	3,250.00
Police S&W	105,000.00	0.00
Police OE	7,500.00	0.00
Office of Emergency Management OE	25.00	0.00
Fire OE	6,000.00	0.00
Fire Prevention Bureau S&W	906.25	0.00
Fire Prevention Bureau OE	250.00	200.00
First Aid Organization-Contribution	0.00	0.00
Uniform Fire Safety OE	0.00	0.00

000127

Municipal Prosecutor S&W	0.00	0.00
Municipal Prosecutor OE	1,750.00	0.00
Municipal Court S&W	10,000.00	0.00
Municipal Court OE	750.00	0.00
Public Defender S&W	0.00	0.00
Public Defender OE	387.50	0.00
Road Repairs and Maintenance S&W	20,000.00	0.00
Road Repairs and Maintenance OE	3,250.00	1,000.00
Solid Waste Collection OE	11,250.00	0.00
Recycling S&W	1,450.00	0.00
Recycling OE	62.50	0.00
Public Buildings and Grounds OE	4,250.00	0.00
Vehicle Maintenance OE-Public Works	2,000.00	0.00
Vehicle Maintenance OE-Fire	0.00	0.00
Vehicle Maintenance OE-Police Vehicle	1,875.00	0.00
Vehicle Maintenance OE-Lease/Acquire Vehicles	7,000.00	0.00
Condo Act-Trash Removal	0.00	0.00
Condo Act-Street Lighting	0.00	0.00
Condo Act-Snow and Leaf Removal	0.00	0.00
Board of Health S&W	0.00	0.00
Kiddie Keep-Well Camp	0.00	0.00
South County Day Camp	0.00	0.00
Animal Control S&W	2,000.00	0.00
Animal Control OE	1,375.00	0.00
Recreation S&W	250.00	0.00
Recreation OE	1,875.00	0.00
Senior Citizen OE	250.00	300.00
Parks OE	1,875.00	0.00
Electricity	4,750.00	0.00
Street Lighting	5,250.00	0.00
Telephone	3,500.00	0.00
Natural Gas	3,125.00	0.00
Diesel Fuel	750.00	0.00
Gasoline	4,075.00	0.00
Postage	1,350.00	0.00
Copier Expense	725.00	0.00
Office Supplies	250.00	0.00
Construction S&W	1,275.00	0.00
Construction S&W-Special Projects	0.00	0.00
Construction OE	0.00	0.00
Accumulated Sick Leave Reserve	0.00	0.00
Contingent	0.00	0.00
Social Security System (O.A.S.I.)	12,625.00	0.00
PERS Retirement - ERI Program	0.00	0.00
PERS Retirement	0.00	(11,040.00)
PERS Delayed Enrollment Penalty	0.00	0.00
PFRS Retirement	0.00	0.00
Liability Insurance	10,000.00	0.00
Worker's Compensation Insurance	3,543.75	0.00
Employee Group Insurance (Health)	25,750.00	0.00
Unemployment, Disability Insurance	525.00	0.00
Animal Shelter Director S&W	0.00	0.00

000128

Animal Shelter Director OE	0.00	0.00
Inside CAP Appropriations	320,487.50	(7,290.00)
Employee Group Insurance (Health) Exclusion	0.00	0.00
"December 2010 Blizzard"	0.00	0.00
LOSAP	0.00	0.00
Subtotal	0.00	0.00
Borough of Spotswood-Police Dispatch	5,592.50	0.00
Borough of Spotswood-Animal Control S&W	1,500.00	0.00
Borough of Spotswood-Animal Control OE	0.00	0.00
Borough of Spotswood-Zoning & Code Enforcement S&W	1,275.00	0.00
Borough of Spotswood-Zoning & Code Enforcement OE	0.00	0.00
Borough of Spotswood-Garbage & Trash Removal	9,963.50	0.00
Borough of South River-Animal Control S&W	1,750.00	0.00
Borough of South River-Animal Control OE	0.00	0.00
Borough of Sayreville-Animal Control S&W	2,750.00	0.00
Borough of Sayreville-Animal Control OE	0.00	0.00
Township of Plainsboro-Animal Control S&W	0.00	0.00
Township of Plainsboro-Animal Control OE	0.00	0.00
Middlesex County Board of Health	3,992.00	0.00
Middlesex County Curbside Recycling Program	5,250.00	0.00
Subtotal-Interlocal Agreements	32,073.00	0.00
Drug Alliance-State	0.00	0.00
Drug Alliance-Borough Share	0.00	0.00
Gypsy Moth Spraying-Federal	0.00	0.00
Gypsy Moth Spraying-Match	0.00	0.00
Clean Communities	0.00	0.00
DDEF	0.00	0.00
Body Armor	223.56	0.00
Recycling Tonnage Grant	0.00	0.00
Forest Services Volunteer Fire Assistance	1,145.25	0.00
Bicycle Pedestrian Safety Grant	0.00	0.00
Sam's Club Foundation	0.00	0.00
Matching Funds for Grants	0.00	0.00
Alcohol Ed & Rehab	0.00	0.00
Subtotal-Grants	1,368.81	0.00
Reserve for Acquisition of Police SUV	0.00	0.00
Reserve for Acquisition of Animal Control Van	20,000.00	0.00
Down Payment on Improvements	0.00	0.00
Reserve for Improvements to Police Department Facilities	50,000.00	(25,000.00)
Reserve for NJ Clean Energy Direct Install Program	0.00	0.00
Capital Improvement Fund	12,500.00	0.00
Subtotal-Capital Improvements	82,500.00	(25,000.00)
Payment of Note Principal	0.00	0.00
Payment of Note Interest	0.00	0.00
Subtotal-Debt Service	0.00	0.00
Emergency Authorizations-1 year	0.00	0.00
Emergency Authorizations-5 years	0.00	0.00
Deferred Charge to Future Taxation-Unfunded	0.00	0.00

Subtotal-Deferred Charges	0.00	0.00
Outside CAP Appropriations	115,941.81	(25,000.00)
Subtotal before Reserve for Uncollected Taxes	436,429.31	(32,590.00)
 Reserve for Uncollected Taxes	0.00	0.00
TOTAL CURRENT FUND	436,429.31	(32,290.00)

	2011 TEMPORARY BUDGET	AMENDMENT 3/23/11
<u>WATER UTILITY FUND</u>		
Salaries and Wages	15,000.00	0.00
Other Expenses	11,500.00	0.00
Purchase of Water	48,750.00	0.00
Insurance	6,750.00	0.00
Accumulated Sick Leave	0.00	0.00
Capital Improvement Fund	1,250.00	0.00
Capital Outlay	0.00	0.00
Capital Outlay-Reserve Water Tower Repainting	0.00	0.00
Reserve for Acquisition of Dump Truck	0.00	0.00
Payment of Bond Principal	0.00	0.00
Payment of Note Principal	0.00	0.00
Payment of Bond Interest	0.00	0.00
Payment of Note Interest	4,520.00	0.00
Payment of USDA Loan	39,256.00	0.00
PERS Retirement	675.00	2,820.00
Social Security System	1,500.00	0.00
Unemployment, Disability Insurance	62.50	0.00
TOTAL WATER UTILITY FUND	129,263.50	2,820.00

	2011 TEMPORARY BUDGET	AMENDMENT 3/23/11
<u>SEWER UTILITY FUND</u>		
Salaries and Wages	15,000.00	0.00
Other Expenses	6,750.00	0.00
MTMUA-Basic	58,750.00	0.00
MTMUA-DS surcharge	0.00	0.00
Other Expenses - Insurance	6,750.00	0.00
Accumulated Sick Leave	0.00	0.00
Capital Improvement Fund	1,250.00	0.00
Capital Outlay	0.00	0.00
Reserve for Acquisition of Dump Truck	0.00	0.00
Capital Outlay-I&I	0.00	0.00
Payment of Bond Principal	0.00	0.00
Payment of Bond Interest	0.00	0.00
PERS Retirement	675.00	4,845.00
Social Security System	1,500.00	0.00
Unemployment, Disability Insurance	62.50	0.00
TOTAL SEWER UTILITY FUND	90,737.50	4,845.00

000130

GRAND TOTAL

656,430.31

(24,625.00)

RESOLUTION # 2011- 90

TRANSFER OF FUNDS

**Current Fund
End of Year
Transfers**

Account #	Name	Amount From	Amount To
		\$	
0-01-20-712-020	Legal Svc OE	150.00	
0-01-25-752-020	Fire Prevention OE	25.00	
0-01-26-315-025	Lease Purch Police Vehicle	40.00	
0-01-31-826-020	Street Lighting	100.00	
0-01-31-829-020	Natural Gas PSE & G	40.00	
			\$
0-01-25-745-020	Police OE		270.00
0-01-26-765-020	Streets & Roads OE		85.00
		\$	\$
		355.00	355.00

RESOLUTION #2011 – 91

PAYMENT OF BILLS

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.

000131

CURRENT FUND	\$	450,239.91
Including the following non-budget items:		
School taxes	\$	316,553.34
Grants		225.00
	\$	<u>316,778.34</u>
WATER OPERATING FUND		6,399.51
SEWER OPERATING FUND		73,054.58
GENERAL CAPITAL FUND		225,558.76
TRUST FUND		1,448.60
BUILDERS' ESCROW		344.00
	\$	<u>757,045.36</u>

RESOLUTION # 2011 – 92

RESOLUTION OF THE BOROUGH OF HELMETTA AUTHORIZING PAYMENT # 5 TO DELL-TECH, INC. IN THE AMOUNT OF \$158,720.33 and CHANGE ORDER #1 IN THE AMOUNT OF \$5,217.00

WHEREAS, the Borough of Helmetta (the "Borough") adopted a redevelopment plan for the Helme Mill Redevelopment Area which 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, pursuant to a Redevelopment Agreement (the "Agreement"), the Borough designated Dell-Tech, Inc. ("Dell-Tech") as the redeveloper for the Property; and

WHEREAS, Dell-Tech has submitted an Application and Certificate for Payment No. 5 dated March 16, 2011 to the Borough in the amount of \$158,720.23; and

WHEREAS, a Change Order for \$5,217.00 was approved by Michael Testa, LLC and has been certified for the availability in Account No. C-04-55-500-500-801; and

WHEREAS, the Borough's consulting architect, Michael Testa, LLC has certified that the work performed by Dell-Tech has progressed as indicated by the Agreement, the quality of the work is in accordance with the Agreement, and that Dell Tech is entitled to payment of the amount certified; and

WHEREAS, the Borough Council would like to authorize payment to Dell-Tech in the amount of \$158,720.23 and for the Change Order in the amount of \$5217.00;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Chief Financial Officer is hereby authorized to issue payment to Dell-Tech Inc. in the amount of \$158,720.23 pursuant to the Application and Certificate for Payment No. 5 and for the Change Order in the amount of \$5,217.00; and

000132

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
- e.Lori Russo, C.F.O.

RESOLUTION # 2011 - 93

RESOLUTION OPPOSING SENATE BILL S-2794 WHICH PROPOSES TO THREATEN MUNICIPAL VOTERS WITH THE DIMINISHMENT OF FUTURE PROPERTY TAX RELIEF FUNDING

WHEREAS, Senate President Steve Sweeney has proposed legislation, Senate Bill S-2794, for introduction on March 10, which would amend the statutes that created the Local Unit Alignment, Reorganization, and Consolidation Commission (LUARCC), and grant LUARCC greater powers and duties regarding consolidation and shared services proposals; and

WHEREAS, many of the provisions in Senator Sweeney's bill could reduce the costs of shared services and consolidations, produce municipal savings and promote relief for our property taxpayers; and

WHEREAS, other provisions of the proposal, however, raise serious concerns including sending a consolidation or shared service proposal, submitted by LUARCC, and not specifically vetoed by the Legislature, to the voters of the effected local governments for approval or rejection, and the voters would then essentially be threatened with the diminishment of future property tax relief funding if they do not vote in favor of the LUARCC recommendation; and

WHEREAS, the Borough Council strongly opposes Senate Bill S-2794 in its current form and wishes to make this opposition known to the Borough's representatives in State Congress.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Helmetta that the Borough Council strongly opposes the adoption of Senate Bill S-2794; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided by the Borough Clerk to Senator Barbara Buono and Assemblymen Peter J. Barnes, III and Patrick J. Diegnan, Jr.

MEETING OF MAYOR AND COUNCIL

Monday, April 18, 2011
7:00 PM

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

*** CALLING OF THE ROLL:** Peckham, Asciolla, Janeczek,
Karczewski, Perez, Smith

*** PUBLIC PORTION**

*** CONSENT AGENDA – RESOLUTION # 2011 - 108**

REPORT of Municipal Clerk, Tax Collector, Utility Revenue Collector

RESOLUTIONS:

- 96 – Resolution supporting A-3412 sharing the burden of property assessment appeal refunds
- 97 – A resolution of the Borough of Helmetta appointing James Apgar as Animal Control Officer
- 98 – Resolution authorizing the Tax Collector to adjust taxes for 2011 Widow Veteran Deduction for Block 21 Lot 7.1 C1402
- 99 – Resolution awarding a contract to Midlantic Park and Playground Concepts for the installation of playground equipment at Residence Park
- 100 – Resolution of the Borough of Helmetta authorizing Payment #6 to Dell-Tech, Inc. in the amount of \$504,360.46
- 101 – Authorization to pay XTC for telecommunications review and audit
- 102 – Authorization to pay Raymond J. Hayducka, Hearing Officer
- 103 – Resolution authorizing execution of Fire Grant Agreement
- 104 – Resolution amending 2011 temporary budget appropriations
- 105 – Payment of bills
- 106 – Resolution of the Borough of Helmetta authorizing shared services agreement with the Borough of Milltown for the cleaning of Helmetta's water basins
- 107 – Authorization for Mayor to sign a statutory funding petition

*** REPORTS OF MAYOR, COMMITTEES, BOROUGH ATTORNEY, BOROUGH ENGINEER, PUBLIC WORKS, PUBLIC SAFETY**

*** SECOND READING OF ORDINANCES:**

ORDINANCE # 2011 - 3

AN ORDINANCE AMENDING CHAPTER 34 OF THE CODE OF THE BOROUGH OF HELMETTA ENTITLED "FIRE PROTECTION" IN ORDER TO ESTABLISH REGULATION AND INSPECTION OF PHOTOVOLTAIC SYSTEMS IN THE BOROUGH

ORDINANCE # 2011 - 4

AN ORDINANCE OF THE BOROUGH OF HELMETTA AUTHORIZING THE APPROPRIATION OF \$500,000.00 FROM THE MIDDLESEX COUNTY OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR PARK IMPROVEMENTS TO HELMETTA LAKE PARK

ORDINANCE # 2011 - 5

AN ORDINANCE OF THE BOROUGH OF HELMETTA AUTHORIZING THE APPROPRIATION OF \$191,422.00 FOR IMPROVEMENTS TO MAPLE STREET, JOHN STREET AND WASHINGTON STREET, AND TO APPROPRIATE \$20,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND AND \$171,422.00 FROM THE NJDOT DISCRETIONARY AID GRANT

***FIRST READING OF ORDINANCES**

ORDINANCE #2011 - 6

STEEP SLOPE ORDINANCE

ORDINANCE #2011 - 7

AN ORDINANCE TO ESTABLISH A FEE SCHEDULE FOR RETAIL FOOD ESTABLISHMENT RE-INSPECTIONS AND RETAIL FOOD ESTABLISHMENT INITIAL PLAN REVIEWS BETWEEN THE MIDDLESEX COUNTY PUBLIC HEALTH DEPARTMENT AS THE CONTRACTING AGENCY AND THE MUNICIPALITY OF HELMETTA

*** OLD BUSINESS**

*** NEW BUSINESS**

Mill Status

*** CLOSED SESSION (if needed)**

*** ADJOURNMENT**