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FINAL AGENDA

HOWELL TOWNSHIP COUNCIL REGULAR MEETING AGENDA

TUESDAY, APRIL 7, 2020

Regular Session 5:00 PM

Howell Township Municipal Building, Main Meeting Room

4567 Route 9 North, Howell, NJ

(Last updated 4/2/2020 12:00 PM)

This agenda for the next regular meeting of the Howell Township Council, and the resolutions linked to this agenda, reflect the agenda and proposed resolutions to the extent known at the time of posting, pursuant to N.J.S.A. 10:4-8(d). The agenda and resolutions are tentative. They are subject to amendment, additions or deletions prior to the meeting.

Any inquiries concerning the agenda and its contents should be directed to the Township Clerk at 732-938-4500, extension 2150. www.twp.howell.nj.us

1. **CALL TO ORDER BY THE MAYOR**
2. **OPENING STATEMENT AND ROLL CALL**
3. ~~**EXECUTIVE SESSION**~~
4. **PLEDGE OF ALLEGIANCE TO THE FLAG**
5. **ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS**
 - March 16, 2020 Special Emergency Meeting
6. **REPORTS OF TOWNSHIP OFFICIALS**
7. **DISCUSSION**
8. **HEARING OF CITIZENS (1 Hour)**
 - & PUBLIC COMMENT ON CONSENT AGENDA ITEMS**
 - a) **GENERAL**
 - b) **2020 MUNICIPAL BUDGET ADOPTION**
 - c) **O-20-6 CAP BANK ORDINANCE ADOPTION**

In an effort to allow for public participation, we would ask that residents contact 732-938-4500 x2155 or email PublicAccess@twp.howell.nj.us. You may leave your comments or questions in either forum; they will then be read into the record and addressed as appropriate. While we realize this is not a perfect solution; these are trying times and we, like many other towns, must create innovative methods to accomplish what would normally be considered routine tasks.

9. CONSENT AGENDA ITEMS (*)

All matters listed under item Consent Agenda marked with an * will be enacted by one motion.

9A RESOLUTIONS

- *R-20-154 **9A.1 Certify Compliance with the US Equal Opportunity Commission’s “Enforcement Guidance” & Sign Group Affidavit**
Explanatory Statement:
 This Resolution states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the enforcement guidance.
- *R-20-155 **9A.2 Authorize Return of Driveway and/or Stabilization (Winter) Guarantee, Emes Equities, LLC/Hollywood Oaks, LLC, Subdivision of Block 213 Lots 1 & 2, Block 216 Lots 1 through 6, Willow Ave, Hollywood Ave, Catalpa Ave, Schulte Ave, Beechwood Ave, Case No. SD-2961F, \$1,500.00**
Explanatory Statement:
 This Resolution authorizes the Return of Driveway and/or Stabilization (Winter) Guarantee, Emes Equities, LLC/Hollywood Oaks, LLC, Subdivision of Block 213 Lots 1 & 2, Block 216 Lots 1 through 6, Willow Ave, Hollywood Ave, Catalpa Ave, Schulte Ave, Beechwood Ave, Case No. SD-2961F, in the amount of \$1,500.00.
- *R-20-156 **9A.3 Authorize Acceptance of Performance Guarantee, SMC Properties, LLC, Assisted Living Facility, Block 183 Lot 22, Route 33 (approx. ½ mile east of Brickyard Rd), Case No. BA-16-10**
Explanatory Statement:
 This Resolution authorizes the Acceptance of a Performance Guarantee, SMC Properties, LLC, Assisted Living Facility, Block 183 Lot 22, Route 33 (approx ½ mile east of Brickyard Rd), Case No. BA-16-10.
- *R-20-157 **9A.4 Authorize Release of Maintenance Guarantee, Mill Club at Greenleaf Shopping Center, LA Fitness, Block 25 Lots 54.02, 54.03, 54.04, 70 & 71, Case No. BA-08-06 SP-A2**
Explanatory Statement:
 This Resolution authorizes the Release of a Maintenance Guarantee, Mill Club at Greenleaf Shopping Center, LA Fitness, Block 25 Lots 54.02, 54.03, 54.04, 70 & 71, Case No. BA-08-06 SP-A2.
- *R-20-158 **9A.5 Authorize Tax Collector to Accept Payment of Less Than One Hundred Percent (100%) of the Amount Due but No Less Than the Full Amount of Interest Due**
Explanatory Statement:
 This Resolution authorizes the Tax Collector to accept payment of less than one hundred percent (100%) of the amount due but no less than the full amount of Interest Due.

*R-20-159 **9A.6 Authorize 2019 Emergency Management Agency Assistance (EMAA) Grant Execution**

Explanatory Statement:

This Resolution authorizes 2019 Emergency Management Agency Assistance (EMAA) Grant Execution, in the amount of \$10,000.00 from the New Jersey State Police (Sub award Number FY19-EMPG-EMAA-1321); (CFDA #:97.042) Award Period July 1, 2019 through June 30, 2020.

*R-20-160 **9A.7 Authorize Acceptance of the Project, Acceptance of the Final Change Order and Acceptance of the Maintenance Bond for the 2018 Capital Program #2 – Mill & Overlay Project**

Explanatory Statement:

This Resolution authorizes the Acceptance of the Project, Acceptance of the Final Change Order and Acceptance of the Maintenance Bond for the 2018 Capital Program #2 – Mill & Overlay Project.

9B MOTIONS

* **9B.1 2020 Renewal, Coin-Operated Games License, Rivoli's Grill & Chill, 8 Ramtown-Greenville Rd**

* **9B.2 2020 License, Coin-Operated Games License, Ice Cream On 9, 2300 Route 9 South**

10. PUBLIC HEARINGS ON ORDINANCES

None

11. INTRODUCTION OF ORDINANCES

O-20-7 **11.1 Amend Chapter 7-10, Turn Prohibitions of the Revised General Ordinances of the Township of Howell**

(Introduction on April 7, 2020)

(Public Hearing & Adoption on April 21, 2020)

Explanatory Statement:

An Ordinance by the Township Council of the Township of Howell Amending Chapter 7-10 entitled Turn Prohibitions to add a new section prohibiting persons from making a right turn on a red signal from eastbound Lanes Mill Road into Greenleaf Plaza.

2020 MUNICIPAL BUDGET

Resolutions

R-20-161 **2020 Municipal Budget – Local Examination**

R-20-162 **2020 Municipal Budget – Read by Title Only**

Ordinance

O-20-6 **Exceed the Municipal Budget Appropriation Limits and Establish a
CAP Bank**

(Introduction on March 3, 2020)

(Public Hearing & Adoption on April 7, 2020)

Explanatory Statement:

This Ordinance exceeds the Municipal Budget Appropriation Limits and Establishes a CAP Bank (N.J.S.A. 40A: 4-45.14).

Resolution

R-20-163 **Adoption of 2020 Municipal Budget**

12. UNFINISHED BUSINESS

13. INFORMATION

14. MEETING DATES:

Regular Meeting

-Tuesday, April 21, 2020

Executive Session 6:30 P.M.

Regular Session 7:30 P.M.

15. ADJOURNMENT 11:00 PM

PRELIMINARY AGENDA

HOWELL TOWNSHIP COUNCIL REGULAR MEETING AGENDA

TUESDAY, APRIL 7, 2020

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(Last updated 4/2/2020 12:00 PM)

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2020 MUNICIPAL BUDGET

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(Introduction on March 3, 2020)

(Public Hearing & Adoption on April 7, 2020)

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TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

9A.1

Mr(s)._____ offered the following resolution, seconded by Mr(s)._____.

RESOLUTION R-20-154

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY CERTIFYING COMPLIANCE WITH THE UNITED STATES EQUAL OPPORTUNITY COMMISSION’S “Enforcement Guidance on the Considerations of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”.

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Council of the Township of Howell, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

ROLL CALL:

VOTE: AYES NAYS ABSTAIN ABSENT

**Mr. Bonevich
Ms. Richmond
Mr. Russo
Mrs. O’Donnell
Mayor Berger**

I, Allison Ciranni, Clerk of the Township of Howell, County of Monmouth, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council at a meeting of said Township Council held on April 7, 2020.

ALLISON CIRANNI, TOWNSHIP CLERK

GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S

"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"

GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

We, members of the governing body of the Township of Howell being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Township Council of the Township of Howell in the county of Monmouth;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)

(L.S.) Theresa Berger

(L.S.)

(L.S.) Evelyn O'Donnell

(L.S.)

(L.S.) John Bonevich

(L.S.)

(L.S.) Pamela Richmond

(L.S.)

(L.S.) Thomas Russo

Sworn to and subscribed before me this
_____ day of _____

Notary Public of New Jersey

Allison Ciranni, Township Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

9A.2

Mr(s). _____ offered the following Resolution for adoption seconded by
Mr(s). _____.

Resolution No. R-20-155

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING THE RETURN OF DRIVEWAY AND/OR STABILIZATION (WINTER) GUARANTEE:

DEVELOPER: EMES EQUITIES, LLC/HOLLYWOOD OAKS, LLC
PROJECT: SUBDIVISION OF: BLOCK 213 LOTS 1 & 2
BLOCK 216 LOTS 1 THROUGH 6
WILLOW AVE, HOLLYWOOD AVE, CATALPA AVE, SCHULTE AVE, BEECHWOOD AVE
CASE NUMBER: SD-2961F

WHEREAS, the above-named developer of the above-named land use development, in order to secure a recommendation from the Engineering Division for a Certificate of Occupancy, posted a guarantee to insure the completion of the driveway and/or stabilization for block 213.01 lot 1.04, which is a part of the above-named project; and

WHEREAS, the developer completed the driveway and/or stabilization and said items were inspected by the Engineering Division; and

WHEREAS, by report dated 3/12/2020, the Engineering Division recommends the return of the driveway and/or stabilization (winter) guarantee, which was posted in the amount of \$1,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Howell as follows:

1. That the Township Finance Office be and is hereby authorized to return to the developer the driveway and/or stabilization (winter) guarantee in the amount of 1,500.00, plus interest if any, said funds to be returned to the developer from the developer’s escrow account E-37-00-22961-021.
2. A certified copy of this Resolution shall be provided by the Township Clerk to each of the following:
 - a. Engineering Division
 - b. Township Treasurer
 - c. Guarantees Coordinator
 - d. Hollywood Oaks, LLC, 576 Central Ave., Suite 301, East Orange, NJ 07018

VOTE AYES NAYS ABSTAIN ABSENT DISQUALIFY

Mr. Bonevich
Ms. Richmond
Mr. Russo
Mrs. O’Donnell
Mayor Berger

This is to certify that the foregoing Resolution was adopted by the Township Council of the Township of Howell at a public business meeting held on April 7, 2020.

ALLISON CIRANNI, TOWNSHIP CLERK

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

9A.3

Mr(s) _____ offered the following Resolution for adoption seconded by Mr(s) _____

Resolution No. R-20-156

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL FOR ACCEPTANCE OF PERFORMANCE GUARANTEE

DEVELOPER: SMC PROPERTIES, LLC
PROJECT: ASSISTED LIVING FACILITY
BLOCK 183 LOT 22
ROUTE 33 (APPROX. ½ MILE EAST OF BRICKYARD RD)
CASE NO.: BA-16-10

WHEREAS, the above-named developer of the above-named land use project located on property known as block 183 lot 22 is posting as a condition of the Zoning Board Approval, and in accordance with the requirements of the Township, for the development of said property, a performance guarantee to ensure proper construction of real property improvements therein; and

WHEREAS, as a condition of the Howell Township Zoning Board Approval, the above-named developer is required to post with the Township of Howell certain performance guarantees; and

WHEREAS, the Division of Engineering has computed the amount of the performance guarantee required to be posted by the developer with the Township of Howell in accordance with the aforementioned Board approval.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Howell, County of Monmouth as follows:

1. The Township Council hereby accepts the following performance guarantee posted by the developer with the Township of Howell in accordance with the approval previously granted by the Howell Township Zoning Board and the Division of Engineering's Performance Guarantee Estimate dated 3/9/2020:
 - a. Check No. 00002681 in the amount of \$6,000.00 representing 100% of the Performance Guarantee.
2. The Township Clerk is hereby directed to forward a duly certified copy of this Resolution to the following:
 - a. Division of Engineering
 - b. Guarantees Coordinator
 - c. Chief Financial Officer
 - d. SMC Properties, LLC, 92 Bell Street, Orange, NJ 07050

VOTE AYES NAYS ABSTAIN ABSENT DISQUALIFY

Mr. Bonevich
Ms. Richmond
Mr. Russo
Mrs. O'Donnell
Mayor Berger

This is to certify that the foregoing Resolution was adopted by the Township council of the Township of Howell at a public business meeting held on April 7, 2020.

ALLISON CIRANNI, TOWNSHIP CLERK

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

9A.4

Mr(s) _____ offered the following Resolution for adoption seconded by Mr(s)

Resolution No. R-20-157

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING
RELEASE OF THE MAINTENANCE GUARANTEE**

DEVELOPER: MILL CLUB, LLC/AAM MILL, LLC
PROJECT: MILL CLUB AT GREENLEAF SHOPPING CENTER (LA FITNESS)
BLOCK 25 LOTS 54.02, 54.03, 54.04, 70 & 71
CASE NO.: BA-08-06 SP-A2

WHEREAS, the above-named developer of the above-named land use development located at property known as block 25 lots 54.02, 54.03, 54.04, 70 & 71 posted a maintenance guarantee in the form of Maintenance Bond No. CM100294M issued by First Indemnity of America Insurance Company in the amount of 87,205.23

WHEREAS, said developer requested the return of said maintenance guarantee; and

WHEREAS, the Engineering Division reviewed the site and determined by maintenance guarantee release report dated 4/1/2020 that said maintenance guarantee should be returned.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Howell as follows:

1. The Township Council of the Township of Howell hereby formally authorizes the return of the maintenance guarantee in the form of Maintenance Bond No. CM100294M issued by First Indemnity of America Insurance Company in the amount of \$87,205.23 to the developer of the site.
2. Said release of the maintenance guarantee is specifically contingent upon the developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all charges as per Township Ordinance for the release of said maintenance guarantee.
3. Upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to the following:
 - a. Division of Engineering
 - b. Guarantees Coordinator
 - c. Chief Financial Officer
 - d. Mill Club, LLC/AAM Mill, LLC, 475 Oberlin Avenue South, Suite 207, Lakewood, NJ 08701

VOTE AYES NAYS ABSTAIN ABSENT DISQUALIFY

Mr. Bonevich
Ms. Richmond
Mr. Russo
Mrs. O'Donnell
Mayor Berger

This is to certify that the foregoing Resolution was adopted by the Township council of the Township of Howell at a public business meeting held on April 7, 2020.

ALLISON CIRANNI, TOWNSHIP CLERK

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

9A.5

RESOLUTION R-20-158

RESOLUTION OF THE HOWELL TOWNSHIP COUNCIL TO AUTHORIZE THE TAX COLLECTOR TO ACCEPT PAYMENT OF LESS THAN ONE HUNDRED PERCENT (100%) OF THE AMOUNT DUE BUT NO LESS THAN THE FULL AMOUNT OF INTEREST DUE

WHEREAS, N.J.S.A. 54:4-68 authorizes the Governing Body to adopt a resolution authorizing the Tax Collector to accept as partial payment less than one hundred percent (100%) of the amount due and owing; and

WHEREAS, the tax collection computer program is set up under strict guidelines, as per the Division of Local Government Services and must be in accordance with the Mod 4 formula and will allow for accepting such partial payments.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Howell, Monmouth County, New Jersey to authorize the Tax Collector to accept payment of less than 100%, but no less than the full amount of interest due.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Tax Collector and Chief Financial Officer.

VOTE AYES NAYS ABSTAIN ABSENT DISQUALIFY

Mr. Bonevich
Ms. Richmond
Mr. Russo
Mrs. O'Donnell
Mayor Berger

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ALLISON CIRANNI, TOWNSHIP CLERK

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

9A.6

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

9A.7

Mr.(s) ____ offered the following Resolution for adoption seconded by Mr.(s) _____.

Resolution No: R-20-160

RESOLUTION FOR THE ACCEPTANCE OF THE PROJECT, ACCEPTANCE OF THE FINAL CHANGE ORDER AND ACCEPTANCE OF THE MAINTENANCE BOND FOR THE 2018 CAPITAL PROGRAM #2 – MILL & OVERLAY PROJECT

WHEREAS, the Township and its engineering consultant, CME Associates, received and opened bids for Contract #18-09 on August 7, 2018 for the 2018 Capital Program #2 – Mill & Overlay Project; and

WHEREAS, the Township Council of the Township of Howell contracted with Earle Asphalt Company, 1800 Route 34, Bldg. 2, Suite 205, Wall, NJ 07719 for the 2018 Capital Program #2 – Mill & Overlay in the amount of \$2,133,113.13; and

WHEREAS, Earle Asphalt Company has submitted a Federal Insurance Company for two (2) year Maintenance Bond No. 82463287M in the amount of \$212,803.72 for legal review and approval; and

WHEREAS, the Township has received a request for final pay estimate #4 in the amount of \$483,192.64 and a close out change order for a decrease in the project cost, from the original contract amount of \$2,133,113.13 to an adjusted total of \$2,128,037.20 for a net decrease of \$5,075.93; and

WHEREAS, in concurrence with CME Associates, the Consulting Engineer, the Township agrees with the changes of certain quantities of the items in the contract in order to complete the project; and

WHEREAS, the Township Manager and Consulting Engineer have recommended acceptance of the project, acceptance of the closeout change order which is a net decrease of \$5,075.93, authorization of the final payment of \$483,192.64 and acceptance of the Maintenance Bond subject to legal review and approval.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Howell that they hereby accept the aforescribed project, accept the closeout change order, authorize final payment and accept the Maintenance Bond subject to legal review and approval.

BE IT FURTHER RESOLVED that the Manager, Chief Financial Officer, QPA and such other officials of the Township as shall be required are hereby authorized and empowered to perform all acts and execute all documents necessary to accept the project, process the final payment and accept the Maintenance Bond.

BE IT FURTHER RESOLVED that the appropriation to be charged to the previous encumbered accounts in the amount of \$483,192.64.

VOTE AYES NAYS ABSTAIN ABSENT DISQUALIFY

**Mr. Bonevich
Ms. Richmond
Mr. Russo
Mrs. O'Donnell
Mayor Berger**

This is to certify that the foregoing Resolution was adopted by the Township Council of the Township of Howell at a public business meeting held on April 7, 2020.

Allison Ciranni, Township Clerk

TOWNSHIP OF HOWELL

ORDINANCE COVER PAGE

Ordinance No. O-20-7

INTRODUCTION

April 7, 2020

PUBLIC HEARING & ADOPTION

April 21, 2020

AGENDA ITEM NUMBER

11.1

ORDINANCE NO. O-20-7

AN ORDINANCE AMENDING CHAPTER 7-10 TURN PROHIBITIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOWELL TO ADD CHAPTER 7-10.4 ENTITLED RIGHT TURN ON RED PROHIBITION AND SCHEDULE XIX.

WHEREAS, the Township of Howell wishes to amend Chapter 7-10 entitled Turn Prohibitions to add Chapter 7-10.4 entitled Right Turn of Red Prohibition of the Revised General Ordinances of the Township of Howell;

BE IT HEREBY ORDAINED by the Township Council of the Township of Howell that Chapter 7-10 entitled Turn Prohibitions is hereby amended and supplemented to add Chapter 7-10.4 entitled Right Turn of Red Prohibition and shall read as follows:

NOTE: Sections of Chapter 7-10 that are to be amended are set forth below. All additions are shown in ***bold italics with underlines***. All deletions are shown in ***bold italics with strikeouts***. All other sections will remaining unchanged shall be in normal type.

§ 7-10 Turn prohibitions.

7-10.1. Left turn prohibition. No person shall make a left turn at any of the locations described in Schedule XIII attached to and made a part of this chapter.

7-10.2. U-turn prohibition. No person shall make a U-turn at any of the locations described in Schedule XIV attached to and made a part of this chapter.

7-10.3. Restricted travel on portion of Redwood Road.

[Added 2-7-2006 by Ord. No. 0-06-04]^[1]

- a. Restricted travel is hereby implemented to provide for restricted travel along a portion of Redwood Road as set forth in Schedule XV which is attached and made a part of this chapter.
- b. Exceptions. This restriction shall not apply to emergency vehicles responding to an emergency. Said vehicles shall be permitted to access through said points of closure.
- c. Signage advising of NO OUTLET and of the appropriate closures along Redwood Road will be posted in accordance with the current Manual on Uniform Traffic Control Devices standards.
- d. Any person who commits a violation of this section shall, upon conviction thereof for a first offense, pay a fine of not less than \$250. For a second offense, upon conviction thereof, pay a fine of not less than \$500 and/or be imprisoned in the county jail for a term not exceeding 90 days. For a third or subsequent conviction, pay a fine of not less than \$1,000 and/or be imprisoned in the county jail for a term not exceeding 90 days. A separate offense shall be deemed committed each time a violation occurs.

7-10.1. Right turn on red prohibition. No person shall make a right turn on a red signal into Greenleaf Plaza from eastbound Lanes Mill Road as set forth in Schedule XIX attached to and made a part of this chapter.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinances not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on April 7, 2020 and will be further considered for final passage and adoption at the Township Municipal Building at 4567 Route 9 North, Howell, New Jersey on April 21, 2020 at 7:30 p.m. or as soon thereafter as the matter can be reached on the Agenda, at which time and place all persons interested therein shall be given an opportunity to be heard and during the week prior thereto, and up to, and including, the date of such meeting, copies of said Ordinance will be available at the Clerk's Office in the Township of Howell Municipal Building to the members of the general public who shall request same.

ALLISON CIRANNI, Municipal Clerk

EXPLANATORY STATEMENT: An Ordinance by the Township Council of the Township of Howell Amending Chapter 7-10 entitled Turn Prohibitions to add a new section prohibiting persons from making a right turn on a red signal from eastbound Lanes Mill Road into Greenleaf Plaza.

TRAFFIC

7 Attachment 19

SCHEDULE XIX Right Turn on Red Prohibition

In accordance with the provisions of subsection 7-10.4, no person shall make a right turn on a red signal at the following described location:

Location

From eastbound Lanes Mill Road into Greenleaf Plaza.

TOWNSHIP OF HOWELL

ORDINANCE COVER PAGE

Ordinance No. O-20-6

INTRODUCTION

March 3, 2020

PUBLIC HEARING & ADOPTION

April 7, 2020

AGENDA ITEM NUMBER

2020 Budget

TOWNSHIP COUNCIL MEETING DATE: 03/03/2020

ORDINANCE NUMBER: O-20-6

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Howell in the County of Monmouth finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$389,147.50 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Council of the Township of Howell, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Howell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0%, amounting to \$389,147.50, and that the CY 2020 municipal budget for the Township of Howell be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading by the Township Council of the Township of Howell on March 3, 2020 and will be further considered for final passage and adopted at the Municipal Building, 4567 Route 9 North, Howell, New Jersey 07731 on April 7, 2020 at 7:30 O'clock P.M., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Howell Municipal Building to the members of the general public who shall request same.

ALLISON CIRANNI
Township Clerk

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held April 7, 2020.

ALLISON CIRANNI
Township Clerk

The effective date of this ordinance is April 27, 2020.

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

2020 Budget
Local Examination

_____ offered the following resolution, seconded by _____.

R-20-161

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ASSUMING RESPONSIBILITY FOR BUDGET EXAMINATION OF THE 2020 MUNICIPAL BUDGET AND CERTIFYING THAT THE 2020 MUNICIPAL BUDGET HAS FULFILLED ALL NECESSARY STATUTORY REQUIREMENTS.

WHEREAS, N.J.S.A. 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound financial condition to assume responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Howell has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2018 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Howell that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the Council has found the budget has met the following requirements:

The with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- Payment of interest and debt redemption charges.
- Deferred charges and statutory expenditures.
- Cash deficit of the preceding year.
- Reserve for uncollected taxes.
- Other reserves and non-disbursement items.
- Any inclusions of amounts required for school purposes.

That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A: 4-45.2 and appropriations for exceptions to limits on appropriations found at 40A: 4-45.3 et seq. are fully met. (Complies with the "CAP" law.)

That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

That pursuant to the Local Budget Law:

- All estimates of revenue are reasonable, accurate, and correctly stated.
- Items of appropriation are properly set forth in itemization, form, arrangement, and content.
- The budget will permit the exercise of the controller function within the municipality.
- The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A: 4-5 shall not prevent such certification.

That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

ROLL CALL:

| VOTE: | AYES | NAYS | ABSTAIN | ABSENT |
|--------------|-------------|-------------|----------------|---------------|
|--------------|-------------|-------------|----------------|---------------|

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|-----------------------|--|--|--|--|
| Mr. Bonevich | | | | |
| Ms. Richmond | | | | |
| Mr. Russo | | | | |
| Mrs. O'Donnell | | | | |
| Mayor Berger | | | | |

I, Allison Ciranni, Clerk of the Township of Howell, County of Monmouth, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council at a meeting of said Township Council held on April 7, 2020.

Allison Ciranni, Township Clerk

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirement of law and approval is given pursuant to N.J.S.A. 40A: 4-78(b) and N.J.A.C. 5:30.7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: April 7, 2020

By:

Louis Palazzo
Chief Financial Officer

This certificate form and resolution of the governing body executing such certification should be annexed to the adopted budget. (N.J.A.C. 5:30-7.6(e))

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

2020 Budget
Read By Title Only

TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

April 7, 2020

AGENDA ITEM NUMBER

2020 Budget
Adoption

