1. 01 21 2020 Council Meeting Agenda
   Documents:
   01 21 2020 PRELIMINARY AGENDA.PDF

2. Ordinance Introduction
   Documents:
   01 21 2020 ORDINANCE INTRODUCTION.PDF

3. 01 21 2020 Resolutions
   Documents:
   01 21 2020 RESOLUTIONSR.PDF
PRELIMINARY AGENDA

HOWELL TOWNSHIP COUNCIL REGULAR MEETING AGENDA

TUESDAY, JANUARY 21, 2020

Executive Session 6:30 PM; Regular Session 7:30 PM
Howell Township Municipal Building, Main Meeting Room
4567 Route 9 North, Howell, NJ
(Last updated 1/16/2020 2:30 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
6. REPORTS OF TOWNSHIP OFFICIALS
   • Recognition – Officer Jonathan Woolley and Amy Greenberger
7. DISCUSSION
8. HEARING OF CITIZENS (1 Hour) & PUBLIC COMMENT ON CONSENT AGENDA ITEMS
   Please note that each person addressing the Township Council during this section of the meeting shall limit his/her remarks to five minutes pursuant to the Howell Township Council Meeting Protocol Policy.

9. CONSENT AGENDA ITEMS (*)
   All matters listed under item Consent Agenda marked with an * will be enacted by one motion.
9A RESOLUTIONS

*R-20-74 9A.1 Authorize the Township of Howell through the Monmouth County Law Enforcement Agency to participate in the Defense Logistics Agency, Law Enforcement Support Office 1033 Program to enable the Howell Police Department to request and acquire excess Department of Defense equipment

**Explanatory Statement:**
This Resolution authorizes the Township of Howell through the Monmouth County Law Enforcement Agency to participate in the Defense Logistics Agency, Law Enforcement Support Office 1033 Program to enable the Howell Police Department to request and acquire excess Department of Defense equipment.

*R-20-75 9A.2 Authorize Appointment of Howell Township Mobile Home Rent Stabilization and Control Board Secretary

**Explanatory Statement:**
This Resolution authorizes the appointment of a Howell Township Mobile Home Rent Stabilization and Control Board Secretary.

*R-20-76 9A.3 Authorize Support of the 2020 Census

**Explanatory Statement:**
This Resolution authorizes a commitment to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2020.

*R-20-77 9A.4 Authorize Refund of Bingo License Application Fee, The Church of St. Veronica, $240.00

**Explanatory Statement:**
This Resolution authorizes the refund of a Bingo License Application Fee to The Church of St. Veronica, 4215 Hwy. 9 North, Howell, NJ in the amount of $240.00.

*R-20-78 9A.5 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 $21,973.81 ($10,000.00 Federal Amount and $11,973.81 Howell Township In-Kind Match) 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-20-79 9A.6 Authorize Return of Unused Water and Sanitary Sewer Review Escrow Funds, Howell Flex Center, LLC, Howell Indoor Training Facility, Block 49 Lot 10, Lakewood-Farmingdale Road, Case No. BA-13-08, $416.70 and $1,104.74, respectively

**Explanatory Statement:**
This Resolution authorizes the Return of Unused Water and Sanitary Sewer Review Escrow Funds, Howell Flex Center, LLC, Howell Indoor Training Facility, Block 49 Lot 10, Lakewood-Farmingdale Road, Case No. BA-13-08 in the amounts of $416.70 and $1,104.74, respectively.
*R-20-80  9A.7 Authorize Refund of Construction Permit Application Fee, Sunrun Installation Services, 26 World’s Fair Drive, Unit K, Somerset, NJ, Permit #2019-1781, $281.25

Explanatory Statement:
The Resolution authorizes the Refund of a Construction Permit Application fee, Sunrun Installation Services, 26 World’s Fair Drive, Unit K, Somerset, NJ, Permit #2019-1781 in the amount of $281.25.

*R-20-81  9A.8 Authorize Award of Contract Utilizing the Cranford Police Cooperative Pricing System (Co-Op #47-CPCPS), Beyer of Morristown, Contract No. 19-01, Police and Administrative Vehicles, One 2020 Dodge Durango, Police Department, $33,339.00

Explanatory Statement:
This Resolution authorizes the Award of a Contract Utilizing the Cranford Police Cooperative Pricing System (Co-Op #47-CPCPS), to Beyer of Morristown, Contract No. 19-01, Police and Administrative Vehicles, One 2020 Dodge Durango for the Police Department in the amount of $33,339.00.


Explanatory Statement:
This Resolution authorizes the Award of a Contract Without Public Bidding Pursuant to the Provisions of N.J.S.A. 40A:1-6 for Replacement of the Fort Plains Road and Hulses Corner Road Flashing Traffic Beacon to Tiffany Electric, Inc., 5 Eastmans Road, Parsippany, NJ in the amount of $20,900.00.

*R-20-83  9A.10 Authorize Amendment to the Howell Township Wastewater Management Plan for property known as Lot 37 in Block 185 and commonly known as 308 Asbury Road, (Par Golf Group, LLC)

Explanatory Statement:
This Resolution authorizes an Amendment to the Howell Township Wastewater Management Plan for property known as Lot 37 in Block 185 and commonly known as 308 Asbury Road, (Par Golf Group, LLC).

*R-20-84  9A.11 Authorize Award of Professional Services Contract, 2020 Capital Program #2 – Developments, CME Associates, $39,400.00

Explanatory Statement:
This Resolution authorizes the Award of a Professional Services Contract, 2020 Capital Program #2 – Developments, to CME Associates, in the amount of $39,400.00.

*R-20-85  9A.12 Authorize Award of Professional Services Contract, 2020 Capital Program #3 – Various Out Roads, T&M Associates, $64,800.00

Explanatory Statement:
This Resolution authorizes the Award of a Professional Services Contract, 2020 Capital Program #3 – Various Out Roads, to T&M Associates, in the amount of $64,800.00.
9A.13 Authorize Award of Professional Services Contract, 2020 Capital Program #4 – NJAW Roadway Improvements, T&M Associates, $71,600.00

Explanatory Statement:
This Resolution authorizes the Award of Professional Services Contract, 2020 Capital Program #4 – NJAW Roadway Improvements, to T&M Associates, in the amount of $71,600.00.


Explanatory Statement:
This Resolution authorizes Acceptance of the Project, Acceptance of the Final Change Order and Acceptance of the Maintenance Bond for the 2017-2018 CDBG Resurfacing of Casino Drive Project, Fiore Paving Co. Inc., Final Contract Price: $274,646.74; Final Change Order Amount: $32,591.44 Increase.

9A.15 Authorize Execution of Shared Service Agreement with the Borough of Farmingdale for Municipal Court Services

Explanatory Statement:
This Resolution authorizes the Execution of a Shared Service Agreement with the Borough of Farmingdale for Municipal Court Services.

9A.16 Authorize Acceptance of Performance Guarantee, NJ American Water Company, NJAW Howell 2020 Candlewood Neighborhood - Phase II A DSIC Program, Darien Road, Brookhill Drive, Darien Circle, Nottingham Drive & Princeton Drive, Road Opening Permit No. RO-20-007

Explanatory Statement:
This Resolution authorizes Acceptance of a Performance Guarantee, NJ American Water Company, NJAW Howell 2020 Candlewood Neighborhood - Phase II A DSIC Program, Darien Road, Brookhill Drive, Darien Circle, Nottingham Drive & Princeton Drive, Road Opening Permit No. RO-20-007.

9A.17 Authorize Acceptance of Performance Guarantee, NJ American Water Company, Howell to Lakewood Transmission Main Project, Phase 2 Construction, Lanes Mill Road, Locust Avenue, Maxim Southard Road, Maxim Road and Preventorium Road

Explanatory Statement:
This Resolution authorizes Acceptance of a Performance Guarantee, NJ American Water Company, Howell to Lakewood Transmission Main Project, Phase 2 Construction, Lanes Mill Road, Locust Avenue, Maxim Southard Road, Maxim Road and Preventorium Road.
9B MOTIONS

* 9B.1 Appoint Member to Municipal Green Team, 1 Year Term Expires 12/31/2020

* 9B.2 Appoint Member to Municipal Alliance, 1 Year Term Expires 12/31/2020

* 9B.3 2020 Renewal, Second Hand Dealer License, KDC Jewelry, 1350 Route 33

* 9B.4 2020 Renewal, Second Hand Dealer License, The Jewelry Link, 502 New Friendship Road

10. PUBLIC HEARINGS ON ORDINANCES
    ▪ None

11. INTRODUCTION OF ORDINANCES

O-20-1 11.1 Capital Ordinance Providing for Construction of a Concession Stand at Soldier Memorial Park, and Appropriating $1,200,000 therefor
        (Introduction on January 21, 2020)
        (Public Hearing & Adoption on February 4, 2020)
        Explanatory Statement:
        This Ordinance provides for the Construction of a Concession Stand at Soldier Memorial Park and appropriates $1,200,000 therefor.

O-20-2 11.2 Repeal and Replace Noise Ordinance
        (Introduction on January 21, 2020)
        (Public Hearing & Adoption on February 4, 2020)
        Explanatory Statement:
        This Ordinance by the Township Council of the Township of Howell repeals its existing noise ordinance based on the New Jersey Department of Environmental Protection Model Ordinance and replaces it with the State Model Ordinance found at N.J.A.C. 7:29.

12. UNFINISHED BUSINESS

13. INFORMATION

14. MEETING DATES:

    Regular Meeting - Tuesday, February 4, 2020
    Executive Session   6:30 P.M.
    Regular Session     7:30 P.M.

15. ADJOURNMENT 11:00 PM
TOWNSHIP OF HOWELL

ORDINANCE COVER PAGE

Ordinance No. O-20-1

INTRODUCTION

PUBLIC HEARING & ADOPTION

January 21, 2020

February 4, 2020

AGENDA ITEM NUMBER

11.1
TOWNSHIP OF HOWELL
COUNTY OF MONMOUTH

CAPITAL ORDINANCE NO. O-20-1

CAPITAL ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A CONCESSION STAND AT SOLDIER MEMORIAL PARK, AND APPROPRIATING $1,200,000 THEREFOR, AUTHORIZED IN AND BY THE TOWNSHIP OF HOWELL, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Township Council of the Township of Howell, in the County of Monmouth, New Jersey (the “Township”) has determined to provide for the construction of a concession stand at Soldier Memorial Park, and

WHEREAS, the Township has available $1,200,000 in the Township’s Open Space and Recreation Trust Fund.

NOW, THEREFORE, BE IT ORDAIGNED by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be undertaken in and by the Township. For the improvements or purposes described in Section 2, there is hereby appropriated $1,200,000, said sum being inclusive of $1,200,000 from the Township’s Open Space and Recreation Trust Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the construction of a concession stand at Soldier Memorial Park, 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 Township Clerk, as finally approved by the governing body of the Township.

Section 3. The 2020 capital budget of the Township will conform to 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 Township Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding $200,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. The Township Attorney and other Township officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 6. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

{00178120,v1/16-000/001}
NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on January 21, 2020 and will be further considered for final passage and adoption at the Township Municipal Building on 4567 Route 9 North, Howell, New Jersey on February 4, 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 CIRANNAI, MUNICIPAL CLERK
TOWNSHIP OF HOWELL

ORDINANCE COVER PAGE

Ordinance No. O-20-2

INTRODUCTION

January 21, 2020

PUBLIC HEARING & ADOPTION

February 4, 2020

AGENDA ITEM NUMBER

11.2
ORDINANCE NO. O-20-2

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL
REPEALING AND REPLACING CHAPTER 208 OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF HOWELL ENTITLED NOISE

WHEREAS, the Township of Howell wishes to repeal existing Township Ordinance
Chapter 208 Entitled Noise of General Revised Ordinances of the Township of Howell and adopt
a new Ordinance based on the State Model Code found at N.J.A.C. 7:29;

BE IT HEREBY ORDAINED by the Township Council of the Township of Howell that
existing Chapter 208 Entitled Noise of General Revised Ordinances of the Township of Howell
hereby repealed in its entirety and replaced in its entirety with the ordinance set forth below:

SUBCHAPTER 1.
GENERAL PROVISIONS

208-1 Definitions
208-2 Industrial, commercial, public service, or community service facilities
208-3 Railroad noise—incorporation by reference
208-4 Stationary emergency signaling devices
208-5 Exceptions
208-6 Performance test principle
208-7 Enforcement
208-8 County and municipal ordinances to regulate noise

SUBCHAPTER 2.
PROCEDURES FOR THE DETERMINATION OF NOISE FROM STATIONARY
SOURCES

208-9 Definitions
208-10 Acceptable test methods
208-11 Measurement principle
208-12 Operating conditions during the test
208-13 General requirements
208-14 Equipment
208-15 Reporting requirements
208-16 Preparation for testing
208-17 Procedure
208-18 Calculations
208-19 Qualifications of enforcement personnel
208-20 Incorporation by reference
SUBCHAPTER 1. GENERAL

§ 208-1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Affected person” means any person who has registered a noise complaint with an authorized enforcement agency that he or she is a receptor of noise on a protected property category, and said affected person has an interest in the protected property category as an owner, tenant, or employee.

“Agricultural activities” means those activities performed on farmlands in order to cultivate the soil, produce crops, or raise livestock. In addition, activities associated with the growing, producing, processing, or selling of farm-related products, as long as those activities are conducted on farmlands, would be considered agricultural activities.

“Authorized enforcement agency” means the Department, a local, county or regional health agency certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et seq.) to perform noise enforcement activities, a municipality with a Department approved noise control ordinance, or an employee of a county or municipal government who has received noise enforcement training and who is currently certified in noise enforcement pursuant to N.J.A.C. 7:29-2.11, provided such agency, municipality or employee is acting within its designated jurisdiction.

“A-weighted sound level” means the sound level in decibels, reported as measured by a sound level measuring instrument having an “A”-weighting network which discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity of the human ear. The level so read is designated dBA.

“Commercial facility” means any premises, property, or facility involving traffic in goods or furnishing of services for sale or profit including, but not limited to:

1. Banking and other financial institutions;
2. Dining establishments;
3. Establishments for providing retail services;
4. Establishments for providing wholesale services;
5. Establishments for recreation and entertainment;
6. Office buildings;
7. Transportation;
8. Warehouses; and
9. Establishments providing living accommodations which exceed six dwelling units, including, but not limited to, apartments, co-ops, hotels, motels, and dormitories, when they are the source of the sound that is being investigated and the source of sound is a heating, air conditioning, pool filter unit or system, or outdoor amplified sound system.

“Community service facility” means any non-residential facility used to provide services to the public, including, but not limited to:

1. Club meeting halls, offices and facilities;
2. Organization offices and facilities;
3. Facilities for the support and practice of religion;
4. Public, private and parochial schools;
5. Hospitals;
6. Offices and buildings of agencies or instrumentalities of government; and
7. Maintenance centers (such as department of public works facilities).

“Continuous airborne sound” means sound that is measured by the slow response setting of a sound level meter in accordance with the provisions of N.J.A.C. 7:29-2, and which lasts one second or longer. Impulsive sounds that are rapidly repetitive and have a duration of one second or longer shall be measured as continuous airborne sound.

“dBA” means the abbreviation designating the unit of sound level as measured by a sound level meter using the A-weighting.

“Decibel” means the practical unit of measurement for sound pressure level; the number of decibels of a measured sound is equal to 20 times the logarithm to the base 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound (20 micropascals); abbreviated “dB”.

“Electricity generation” means generation, transmission or distribution of electricity for sale in the State.

“Emergency” means an unexpected occurrence or situation resulting from natural or unnatural causes which endangers or has the potential to endanger the health, safety or resources of citizens or a municipality, and as such, necessitates prompt action and response on the part of emergency services personnel, or contractors working at the site of the emergency to address an emergency.

“Emergency energy release device” means a device used specifically to release excess energy on a non-scheduled basis as necessary for purposes of safety.

“Emergency services personnel” means those people who are trained or designated to respond to an emergency, as defined in this section, or who participate in activities associated with a response to an emergency.
“Frequency” means the number of sound pressure oscillations per second, expressed in hertz; abbreviated “Hz”.

“Impulsive sound” means either a single pressure peak or a single burst (multiple pressure peaks) having a duration of less than one second.

“Industrial facility” means any facility, whether public or private, and its related premises, property or equipment involving:

1. The fabrication, manufacture, or production of durable or nondurable goods; or
2. Industrial-like activities including, but not limited to:
   i. Waste collection;
   ii. Waste incineration;
   iii. Waste recycling;
   iv. Water and sewage treatment; and
   v. Electricity generation.

“Maximum sound level” means the maximum sound level measured by a sound level meter on the “fast” or “impulse” setting.

“Octave band sound pressure level” means the sound pressure level measured in decibels in standard octave bands with a sound level meter.

“Person” means any individual, public or private corporation, political subdivision, governmental agency, department or bureau of the State, municipality, industry, or association, including condominium or co-op associations, limited liability corporations, and partnerships and limited liability partnerships.

“Residential property” means property used for human habitation, unless the habitation is a condition of employment, including, but not limited to:

1. Private property used for human habitation;
2. Commercial living accommodations and commercial property used for human habitation;
3. Recreational and entertainment property used for human habitation;
4. Community service property used for human habitation.

“Sound level” means the sound pressure level measured in decibels with a sound level meter set for A-weighting; sound level is expressed in dBA.

“Sound pressure level” means the level of a sound measured in dBA units with a sound level meter which has a uniform (“flat”) response over the band of frequencies measured.
“Stationary emergency signaling device” means any device, excluding those attached to motor vehicles, used to alert local persons engaged in local emergency operations. These include, but are not limited to, fire-fighters, first aid squad members, and law enforcement officers, whether paid or volunteer.

§ 208-2 Industrial, commercial, or community service facilities

(a) No person shall cause, suffer, allow, or permit sound from any industrial, commercial, or community service facility that, when measured at any residential property line of any affected person, is in excess of any of the following:

1. From 7:00 A.M. to 10:00 P.M.:
   i. Continuous airborne sound which has a sound level in excess of 65 dBA; or
   ii. Continuous airborne sound which has an octave band sound pressure level in decibels which exceeds the values listed below in one or more octave bands:

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<tr>
<th>Octave Band Center Frequency (Hz)</th>
<th>Octave Band Sound Pressure Level (dB)</th>
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   or,

   iii. Impulsive sound in air which has a maximum sound level in excess of 80 dBA.

2. From 10:00 P.M. to 7:00 A.M.
   i. Continuous airborne sound which has a sound level in excess of 50 dBA; or
   ii. Continuous airborne sound which has an octave band sound pressure level in decibels which exceeds the value listed below in one or more octave bands:
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<th>Octave Band Sound Pressure Level (dB)</th>
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or

iii. Impulsive sound in air which has a maximum sound level in excess of 80 dBA and such impulse sound shall not be repeated more than four times in any hour. Impulsive sound which repeats more than four times in any hour shall not exceed 50 dBA.

(b) No person shall cause, suffer, allow, or permit sound from any industrial, commercial, or community service facility that, when measured at the property line of any other commercial, or community service facility of any affected person, is in excess of any of the following:

1. Continuous airborne sound which has a sound level in excess of 65 dBA; or

2. Continuous airborne sound which has an octave band sound pressure level in decibels which exceeds the values listed below in one or more octave bands:

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or,

3. Impulsive sound in air which has a maximum sound level in excess of 80 dBA.

§ 208-3 Railroad noise - incorporation by reference

(a) Except as provided in (b) below, the following provisions of the Code of Federal Regulations, including all future amendments and supplements thereto, are hereby incorporated by reference: 40 CFR 201 Noise Emission Standards for Transportation Equipment; Interstate Rail Carriers, and 49 CFR 210 Railroad Noise Emission Compliance Regulations. This incorporation by reference only pertains to the sound level standards and measurement of railroad noise generated by idling train locomotives and rail car coupling operations.

(b) The following provisions are not incorporated by reference under (a) above:

1. 40 CFR 201.12 Standard for locomotive operation under moving conditions;
2. 40 CFR 201.13 Standard for rail car operations;
3. 40 CFR 201.14 Standard for retarders;
4. 40 CFR 201.16 Standard for locomotive load cell test stands;
5. 40 CFR 201.27 Procedures for (1) Determining applicability of the locomotive load cell test stand standard and switcher locomotive standard by noise measurement on a receiving property; (2) measurement of locomotive load cell test stands more than 120 meters (400 feet) on a receiving property;
6. 40 CFR 201.28 Testing by a railroad to determine probable compliance with the standard; and
7. 49 CFR 210.11 Waivers.

§ 208-4 Stationary emergency signaling devices

(a) Testing of only the electromechanical functioning of a stationary emergency signaling device shall occur at the same time each day that a test is performed, but not before 8:00 A.M. or after 8:00 P.M. Any such testing shall only use the minimum cycle test time. Except as provided for in (b) below, such test time shall not exceed ten seconds.
(b) Testing of the complete emergency signaling system including the electromechanical functioning of the signaling device and the personnel response to the signal shall not occur more than once in each calendar month. Such testing shall not occur before 8:00 A.M. or after 8:00 P.M. The ten second time limit on the electromechanical functioning of the signaling device shall not apply to such system testing.

(c) Stationary emergency signaling devices shall be used only for testing in compliance with applicable provisions of these regulations and for emergency purposes where personnel and equipment are mobilized. Since personnel and equipment are mobilized during a weather emergency, emergency signaling devices may be utilized to announce a school closing resulting from a weather emergency.

(d) A stationary emergency signaling device used to alert firefighters, or other emergency services personnel of a fire or other emergency shall be located no closer than 250 feet from any elementary school or adjacent school yard or playground, except that this restriction shall not apply to any stationary emergency signaling device that is located on the premises of a fire station or other facility operated by a local fire department or force or first aid, rescue or emergency squad.

(e) The requirement of (d) above shall not apply to stationary emergency signaling devices placed in service before July 16, 1992 and located in municipalities with a population of less than 25,000 persons and with a population density of more than 2,500 persons per square mile, according to the latest Federal decennial census.

(f) Nothing in this section shall have the effect of restricting the use of a stationary emergency signaling device to alert the public of an emergency pursuant to the provisions of the emergency management act, P.L. 1942, c.251 (N.J.S.A. App. A:9-33 et seq.), or any applicable Federal laws or regulations pertaining to emergency planning and preparedness. The requirements of this section do not apply to the use of stationary emergency signaling devices to warn the public or emergency personnel of a national or State emergency pursuant to the provisions of the emergency management act. This section only pertains to the use of stationary emergency signaling devices to alert local emergency services personnel and/or local citizens of a local emergency such as a fire. This section also does not apply when stationary emergency signaling devices are used or tested as part of the operations of the National Warning System, pursuant to the Federal Emergency Management Agency’s Civil Preparedness Guide 1-16, or pursuant to the Federal Emergency Management Agency’s Guide for the Evaluation of Alert and Notification Systems for Nuclear Power Plants, FEMA Rep. 10.

(g) A dual-purpose stationary emergency signaling device which is used to alert the public of a national or State emergency and which is also used to alert local emergency services personnel of local emergencies shall not be required to comply with N.J.A.C. 7:29-1.3(d), (e) and (f). If a dual purpose stationary emergency signaling device is used for local purposes, the device shall comply with all other provisions of this section.

(h) When operated or tested in accordance with the requirements of this section, stationary emergency signaling devices are not required to comply with the operational performance standards established at N.J.A.C. 7:29-1.2.
§ 208-5 Exceptions

(a) The operational performance standards established at *N.J.A.C.* 7:29-1.2 shall not apply to any of the following noise sources:

1. Agricultural activities;
2. Bells, chimes or carillons, which may include electronic devices that imitate the sounds of bells, chimes or carillons, while being used in conjunction with religious services;
3. Emergency energy release devices;
4. When public health or safety is involved, emergency work to provide electricity, water, or other public utilities; to conduct emergency construction or demolition work; to make emergency repairs to public roadways or bridges; to address emergency incidents such as the cleanup of spills of hazardous materials; or upon written approval of the authorized enforcement agency, to utilize sound producing devices to relocate wildlife;
5. Motor vehicle racetrack facilities engaged in the racing of motor vehicles;
6. National Warning System (NAWAS): Systems used to warn the community of attack or imminent public danger such as flooding or explosion. These systems are controlled by the New Jersey Department of Law and Public Safety;
7. Noise of aircraft flight operations;
8. Public celebrations that are government-sponsored or government-permitted events:
9. Public roadways;
10. Surface carriers engaged in commerce by railroad when the noise sources in question are trains in motion, operating retarders, train horns and whistles, or performing locomotive load test cell stands;
11. The unamplified human voice;
12. Use of explosive devices: These are regulated by the New Jersey Department of Labor and Workforce Development under the 1960 Explosive Act (*N.J.S.A.* 21:1A-1 to 21:1A-21);
13. Normal operation of a handgun, rifle, shotgun, skeetshooting or trapshooting range which has been maintained continuously in the same location since January 24, 1972; or
14. Emergency electricity generators at an industrial, commercial, or community service facility in use during an electrical outage.

§ 208-6 Performance test principle

For the purposes of measuring sound in accordance with the applicable provisions of these regulations, test equipment methods and procedures shall conform to the provisions of N.J.A.C. 7:29-2.

§ 208-7 Enforcement

(a) This section governs the initiation of enforcement actions and the imposition of civil penalties for violations of the Noise Control Act, N.J.S.A. 13:1G-1 et seq., and these rules.

(b) If any person violates any provision of the Noise Control Act, N.J.S.A. 13:1G-1 et seq., these rules, or an order issued pursuant thereto, the authorized enforcement agency may institute an action in a court of competent jurisdiction for injunctive relief to prohibit and prevent such violation or violations and the said court may proceed in the action in a summary manner.

(c) Any person who violates any provision of the Noise Control Act, N.J.S.A. 13:1G-1 et seq., these rules, or an order issued pursuant thereto shall be subject, upon order of a court, to a civil penalty of not more than $3,000 for each offense and each day during which the violation continues shall constitute an additional, separate and distinct offense.

(d) Upon identification of a violation of the Noise Control Act, N.J.S.A. 13:1G-1 et seq., these rules, or an order issued pursuant thereto, the authorized enforcement agency shall issue an enforcement document to the violator. The enforcement document may be sent to the violator by certified mail, return receipt requested. The enforcement document shall:

1. Identify the condition or activity that constitutes the violation and the specific provision of the Act, rule or order that has been violated;

2. Indicate whether the violator has a period of time to correct the violation before a penalty is sought, as follows:

   i. If the violation is deemed by the authorized enforcement agency to be a minor violation pursuant to (f) below, notify the violator that the activity or condition which constitutes the violation must be corrected and compliance achieved within 30 days or, at the discretion of the authorized enforcement agency, any other reasonable period of time, not to exceed 180 days, to be determined based upon the nature and extent of the violation and a reasonable estimate of the time needed to correct the violation. The violator may request, from the authorized enforcement agency, an extension of the compliance deadline in the enforcement action and the authorized enforcement agency shall approve any reasonable request for an extension if the violator can demonstrate that a good faith effort has been made to achieve compliance;
ii. If the violation is not deemed by the authorized enforcement agency to be a minor violation pursuant to (f) below, notify the violator that he or she will not be allowed a period of time to correct the violation before a penalty is sought.

3. Notify the violator that he or she may be liable to a civil penalty of no more than $3,000 for the violation that is the subject of the enforcement document; and

4. If the violation is deemed by the authorized enforcement agency to be a minor violation pursuant to (f) below, notify the violator that if he or she achieves compliance within the period of time specified in the enforcement document, the authorized enforcement agency shall not seek to collect a civil penalty from the violator for that violation.

(e) The authorized enforcement agency may seek injunctive relief and/or a penalty for a violation of the Act, these rules, or an order issued pursuant thereto:

1. If the violator does not correct the minor violation within the period of time specified in the enforcement document initiated pursuant to (d) above; or

2. If the violation is not considered a minor violation pursuant to (f) below.

(f) A violation shall be considered a minor violation if:

1. The violation is not the result of the purposeful, reckless or criminally negligent conduct of the violator; and

2. The activity or condition constituting the violation has not been the subject of an enforcement action by the authorized enforcement agency against the violator within the immediately preceding 12 months.

(g) Any claim for a civil penalty may be compromised and settled based on the following factors:

1. Mitigating or any other extenuating circumstances;

2. The timely implementation by the violator of measures which lead to compliance;

3. The conduct of the violator; and

4. The compliance history of the violator.

§ 208-8 County and municipal ordinances to regulate noise
(a) A governing body of a municipality or county or board of health may adopt a noise control ordinance in accordance with the Noise Control Act of 1971, at N.J.S.A. 13:1G-21, provided that the ordinance shall be more stringent than the Noise Control Act or the regulations promulgated pursuant thereto, must be otherwise consistent with the Statewide scheme of noise control, and meets with the written approval of the Department.

(b) Enforcement of a noise control ordinance is limited to the authorized enforcement agency as specified in the ordinance and enforcement actions shall be conducted in accordance with N.J.A.C. 7:29-1.7.

SUBCHAPTER 2. PROCEDURES FOR THE DETERMINATION OF NOISE FROM STATIONARY SOURCES

§ 208-9 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the text clearly indicates otherwise. Terms not defined in this section are intended to be used as defined in the New Jersey Control Act, N.J.S.A. 13:1G-1 et seq., and in this chapter, or are used in their common or engineering sense.

“A-weighted sound level” means the sound level in decibels, reported as measured by a sound level measuring instrument having an “A”-weighting network which discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity of the human ear. The level so read is designated dBA.

“Department” means the Department of Environmental Protection.

“Duty cycle” means the period of time for one operating cycle for equipment which cycles periodically at a regular rate; e.g., five minutes on, 10 minutes off equals a 15 minute duty cycle.

“Extraneous sound” means an intermittent sound which is neither neighborhood residual sound nor sound from the source under investigation.

“Facility” means land and/or buildings used for commercial or industrial operations which produce the sound under investigation.

“Neighborhood residual sound level” means that measured value which represents the summation of the sound from all of the discrete sources affecting a given site at a given time, exclusive of extraneous sound and the sound from the source of interest.

“Noise” means, for purposes of this procedure, any sound which is not in conformance with the provisions of this chapter.

“Octave” means any two frequencies whose ratio is exactly two to one.
“Octave band” means a spectrum of sound frequencies between band edge frequencies an octave apart. For purposes of this procedure, octave band frequencies are as specified in Table 1 of ANSI S1.11-1966 (R-1976) “specifications for octave, half-octave and third-octave band filter sets” (see N.J.A.C. 7:29-2.12(a)1).

“Sound level meter” means an instrument which is used to measure sound pressure level, sound level, octave band sound pressure level, or maximum sound level, separately or in combination and which conforms to the requirements set forth at N.J.A.C. 7:29-2.6(a)1 for such meters.

“Sound source” means any person, animal, device, equipment, operation, process, activity, or phenomenon that emits or causes sound.

“Sound spectrum” means the description of the resolution of a sound into its frequency and amplitude components.

“Steady state sound” means a sound whose level remains constant during measurement.

“Total sound level” means that measured level which represents the summation of the sounds from the source under investigation and the neighborhood residual sound level, excluding any extraneous sound, when measured on the property of an affected person.

“Wind screen” means a device recommended by the manufacturer as a microphone cover to reduce the effect of wind.

§ 208-10 Acceptable test methods

Testing shall be conducted in accordance with methods set forth hereinafter. Alternative methods, procedures, or instruments may be used subject to approval and conditions prescribed by the Department. The Department may itself employ such alternatives when warranted by test conditions or other circumstances.

§ 208-11 Measurement principle

For purposes of measuring noise in accordance with applicable provisions of the rules of the Department, sound levels shall be determined by a qualified investigator using instruments and procedures prescribed by the Department.

§ 208-12 Operating conditions during the test

Insofar as practicable, sound will be measured while the source under investigation is operating at normal, routine conditions and, as necessary, at other conditions including, but not limited to, design, maximum and fluctuating rates. For test purposes, these conditions will apply during the times from 7:00 A.M. to 10:00 P.M. and from 10:00 P.M. to 7:00 A.M.

§ 208-13 General requirements

(a) All tests shall be conducted in accordance with the following procedures:
1. The investigator shall, to the extent practicable, identify all sources contributing sound to the point of measurement.

2. Measurements shall be taken at or within the property line of any affected person.

3. The measuring device must be calibrated before and after each series of readings and at least once every hour.

4. The sound level meter must be recalibrated and the calibrator must be recalibrated at least once per year by the manufacturer or by a laboratory accredited for such calibrations by either the American Association for Laboratory Accreditation or the National Institute of Standards and Technology. A copy of written documentation of such recalibration, in a form approved by the Department, shall be kept with the equipment to which it refers.

5. No outdoor measurements shall be made:
   i. During periods when the wind speed exceeds 12 miles per hour (including gusts).
   ii. Without a wind screen properly attached to the measuring device.
   iii. Under any condition which allows the measuring device to become wet, such as rain, snow, or condensation.
   iv. When the ambient temperature is below 14 degrees F (-10 degrees C) or above 122 degrees F (50 degrees C).

§ 208-14 Equipment

(a) Requirements for equipment are as follows:

1. Sound level meters:
   i. Measurements of continuous or impulse sound shall be made either with a Type 1 (Precision) or a Type 2 (General Purpose) sound level meter manufactured to the requirements of ANSI S1.4-1971 specification for sound level meters (see N.J.A.C. 7:29-2.12(a)2) or its successor.
   ii. Measurements of sound by octave bands shall be made with a sound level meter with octave band frequency filter set that conforms to the requirements of Class II as specified in ANSI S1.11-1966 (R-1976) “specification for octave, half-octave, and third-octave band filter sets” (see N.J.A.C. 7:29-2.12(a)1) or its successor.
2. Calibrators used should be those recommended by the manufacturer of the sound level meter.

3. Other equipment:
   i. A wind screen, as recommended by the sound level meter manufacturer.
   
   ii. A wind speed measuring instrument including a range of five to 15 miles per hour (2.2 to 6.7 meters per second) with plus or minus two miles per hour (plus or minus 0.9 meters per second) accuracy.
   
   iii. Optional equipment including a flashlight or miner’s lamp, a microphone extension cable, an extension pole with microphone holder, a headphone equipped with a plug to fit the sound level meter, a tape measure or an optical distance indicator for determining distance, a compass for determining direction or, alternatively, a suitable map of the vicinity, and a thermometer for determining ambient temperature.

§ 208-15 Reporting requirements

(a) Reports shall be provided on forms approved by the Department.

(b) The report for each test shall include:

1. The date and day of the week on which the test is made;

2. The time of measurements, clearly indicating A.M. or P.M.;

3. The times of calibration of the measuring devices while on site;

4. The weather conditions;

5. The temperature when the ambient is below 14 degrees F (-10 degrees C);

6. The wind speed;

7. The identification of all measurement equipment by manufacturer, model number, and serial number;

8. The date each piece of equipment was last recertified or recalibrated by the manufacturer or other approved person;

9. The duty cycle of source of interest:

10. The total sound level in dBA, or dB if in octave bands, or in dBA peak if measuring maximum instantaneous sound pressure level of impulse sound at the measurement point;
11. The neighborhood residual sound level in dBA, or dB if in octave bands, at the measurement point;

12. A sketch of the site, not necessarily to scale, orienting the facility of interest, the points of measurement, topographic features, and relevant distances, containing sufficient information for another investigator to repeat the measurements under similar conditions;

13. A description of the sound sources by character and location;

14. A description of the neighborhood residual sound by character and location, to the extent feasible.

§ 208-16 Preparation for testing

(a) Survey: Prior to taking noise measurements the investigator shall explore the vicinity of the suspected source on foot to identify any other sound sources which could affect measurements, to establish the approximate location and character of the main sound source, and to select suitable points from which to measure the sound from the suspected source and the neighborhood residual sound.

(b) Nature of sound: While the sound source or sources are under observation the investigator shall ascertain whether the sound is steady state or extraneous. The duty cycle time, if any, shall be measured and noted.

(c) Wind speed measurement: The investigator shall measure the wind speed at the measurement site with an appropriate wind meter. If the wind speed does not exceed 12 miles per hour (5.4 meters per second), proceed using a sound level meter equipped with a wind screen. When the wind speed exceeds 12 miles per hour (5.4 meters per second), including gusts, sound level readings shall not be made, but shall be postponed until the wind speed decreases below 12 miles per hour (5.4 meters per second).

(d) Instrument selection: After determining the character of the sound to be measured, the investigator shall select the appropriate measuring equipment pursuant to the requirements of N.J.A.C. 7:29-2.6. If the sound is concentrated within a narrow band of frequencies, an instrument capable of octave band analysis shall be selected. If impulse sound is predominant, an instrument capable of impulse peak measurement shall be selected.

§ 208-17 Procedure

(a) Calibration of Sound Measuring Equipment: When a meter zero adjust screw is accessible from outside the sound measuring equipment, then prior to making sound level measurements, the investigator shall zero adjust in accordance with the manufacturer’s instructions. If the zero adjust screw of the equipment is not readily accessible, and if the investigator observes that the meter zero adjust is defective, the equipment shall be taken out of service until repaired. Before and after making a set of sound level measurements, the investigator shall check, and if warranted, adjust the sound level meter calibration at the level specified by the sound level calibrator used. When a multi-frequency calibrator is used, it shall
be set at 1000 Hertz. The procedures below shall be followed before and after each set of measurements:

1. Turn on the sound level meter and allow it to warm-up as specified by the manufacturer - usually three to five minutes;

2. Check the condition of the sound level meter battery and replace if necessary;

3. Set the sound level meter range or attenuator setting to the appropriate level (most calibrators produce sound levels in the range of 94 to 124 dB);

4. Set the sound level meter for slow response and set the sound level meter weighting switch to the appropriate position in accordance with the manufacturer’s instructions for the sound level calibrator to be used;

5. Test the calibrator batteries and replace them if necessary;

6. Allow the calibrator to warm-up if necessary as specified by the manufacturer;

7. Place the calibrator on the microphone gently to prevent damage to the microphone diaphragm; and

8. Adjust the sound level meter using the calibration (sensitivity or amplifier gain) adjustment until the meter reads the calibrator output.

(b) Measurement: After calibrating the sound level meter, switch to the appropriate weighting position and place the wind screen over the microphone. The appropriate weighting position is “A” for measurement of continuous or impulse sound, and “flat” or “ext. Filter” for octave band measurements. The meter is now ready for measuring the sound level.

1. Total sound level is measured as follows:

   i. Position the microphone at the point at which the sound is to be measured.

   ii. During sound level measurements, the sound level meter microphone is to be mounted on a tripod or held at arm’s length, at a minimum of three feet (0.9 meter) above ground level, and pointed at the proper angle to an imaginary line from the sound source to the microphone. The proper angle is specified by the manufacturer, according to the microphone characteristics.

   iii. When measuring continuous sound, the measuring device shall be set for “A” weighting, “slow” meter response, and the range switch shall be set to that range in which the meter display reads nearest to the maximum end of the scale. When the measured sound is
variable, causing the meter display to fluctuate, record both the minimum and maximum readings, for example, 66-69 dBA, indicating that the reading was not less than 66 nor more than 69, during the measurement. When selecting the proper range setting for making the measurement, do not include extraneous sounds.

iv. When octave band measurements are made, the sound from the source must be constant in level and in character. Record the maximum and minimum readings in dB. Use “flat” response or “ext. Filter” setting as appropriate to the instrument. (Do not use “A” scale.) If level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement. The octave band level shall be used as a supplement to “A” weighted level measurements.

v. To measure impulse noise, the investigator shall set the meter for “A” weighting. The investigator may use either the fast or impulse setting, and may employ the “hold” setting. If the investigator is not employing the “hold” setting, he or she should report the maximum sound level displayed on the meter for a representative number of impulses. If the “hold” setting is employed after measuring an impulse, press the reset button to prepare for measurement of the next impulse. If the impulses follow each other rapidly as for example in a fusillade, it is not necessary to measure every impulse. In such a case, measure as many impulses as feasible, estimate the number of impulses occurring, and the time period during which they occur.

vi. While making sound level measurements, observe whether the meter reading is increased by extraneous sound sources such as passing vehicles, aircraft flying overhead, barking dogs, etc. In such cases, postpone the sound level measurement until the extraneous sound has abated. This shall not apply, however, if the source of the extraneous sound is located on the facility under investigation.

vii. There are instances in which the sound propagation from a source is such that the sound level varies significantly with altitude. In such cases, connect the sound level meter to its microphone by a long cable and, after calibrating, elevate the microphone with a long pole or other means to measure the sound level at different altitudes.

viii. Continue the test over a period of time sufficient to ensure that the sound levels measured are typical of the source under observation but in no event should the duration of the test be less than 10 minutes, unless the duration or duty cycle of the sound source
under observation is less than 10 minutes.

ix. No less frequently than at one hour intervals during the investigation, and again at the conclusion of measurement, calibrate the sound level meter, check the condition of the batteries, measure the wind speed, and record the results for inclusion in the Noise Measurement Report. If the sound level meter has drifted more than 0.5 dB off calibration, or if the sound level meter battery check procedure indicates that the battery charge is too low, or if the wind speed has increased to greater than 12 miles per hour (5.4 meters per second), then measurements taken since the previous calibration check shall be considered invalid. A meter with an electronic display showing a “low battery” indication may continue to be operated for the duration specified in the manufacturer’s manual without invalidating the previous readings, if a subsequent calibration check is satisfactory. Wind gusts over 12 miles per hour (5.4 meters per second) that begin after at least one hour of measurements shall not invalidate measurements already collected.

2. Neighborhood residual sound is measured as follows:

i. When the sound from the source under investigation can be discontinued, the neighborhood residual sound shall be measured at the same location at which the total sound was measured. When the sound under investigation cannot be reasonably discontinued, the neighborhood residual sound may be measured at an alternative location, in accordance with the following procedure:

(1) The alternative location should be as close as feasible to the original sound measurement location, but so located that the sound from the source has as little effect as possible on the neighborhood residual sound measurement. Even if the source sound is audible or is sufficient to raise the sound level above that which would be measured were it inaudible at the alternative location, the reading is sufficient for the purpose of this procedure.

(2) The alternative location chosen must be such that buildings in the vicinity are similar in size and distribution, the local topography is similar in character to the location of the affected property where the total sound was measured.

(3) Traffic conditions at the time of neighborhood residual sound measurement must be similar to those at the location of the affected property where the total sound was measured.
§ 7:29-2.10 Calculations

(a) Corrected source sound level: Correct the total sound level for the neighborhood residual sound in accordance with the procedure for using Table 1 to determine the sound level from the sound source of interest. If the difference between the total sound level and the neighborhood residual sound level is greater than 10 dB no correction is necessary.

<table>
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<th>A Sound Level Difference (Decibels)</th>
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<tr>
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Procedure for Using Table 1

Step 1: Subtract the maximum measured level of the neighborhood residual sound from the minimum measured level of the total sound. If the value obtained is a decimal number, round the value down to the nearest lower value in Column A.

Step 2: In Column A, find the difference determined under Step 1 and its corresponding correction factor in Column B.

Step 3: Subtract the value obtained from Column B in Step 2 from the minimum measured total sound level (used in Step 1) to determine the sound level attributable to the sound source.

§ 7:29-2.11 Qualifications of enforcement personnel
For the purposes of this chapter, an employee representing an authorized enforcement agency shall be considered qualified to make noise measurements and enforce the State’s Noise rules or a municipal noise ordinance approved by the Department, as the case may be, if such person completes a noise certification course, and is recertified, at least once every two years, at a noise certification course which is offered by the Department of Environmental Sciences of Cook College, Rutgers, the State University. The Department of Environmental Protection shall provide an extension for recertification on a case-by-case basis beyond the two year period for a person until the next time the recertification course is offered. Such requests shall be made in writing to the Department at least 10 working days prior to the expiration of the persons’ certification.

§ 7:29-2.12 Incorporation by reference

(a) Wherever referenced in this subchapter, the following sources are incorporated by reference as part of this subchapter:


2. ANSI:S1.4-1971 “specification for sound level meters” can be purchased from: American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

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 January 21, 2020 and will be further considered for final passage and adoption at the Township Municipal Building on 4567 Route 9 North, Howell, New Jersey on February 4, 2020 at 6:30 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 to repeal its existing noise ordinance based on the New Jersey Department of Environmental Protection Model Ordinance and to replace it with the State Model Ordinance found at N.J.A.C. 7:29.
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE: January 21, 2020

AGENDA ITEM NUMBER: 9A.1
Resolution No. R-20-74

RESOLUTION AUTHORIZING THE TOWNSHIP OF HOWELL POLICE DEPARTMENT AGENCY TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE HOWELL POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United State Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and County LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Howell, County of Monmouth that the Howell Township Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period with authorization to participate terminating on December 31 of the current calendar year; and

BE IT FURTHER RESOLVED that Howell Township Police Department is hereby authorized to acquire items of non-controlled property designated “DEMIL A,” which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Howell Township Police Department, without restriction; and

BE IT FURTHER RESOLVED that the Howell Township Police Department is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes; and

BE IT FURTHER RESOLVED that the “DEMIL B through Q” controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution; and

BE IT FURTHER RESOLVED that the Howell Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Howell Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request;
BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time which this resolution authorizes; with Program participation and all property request authorization terminating on December 31\textsuperscript{st} of the current calendar year.

VOTE  AYES  NAYS  ABSTAIN  ABSENT

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 January 21, 2020.

ALLISON CIRANNA, TOWNSHIP CLERK
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<td>TRUCK, MATERIALS HANDLING-CONTAINER HOISTING</td>
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<td>UP ARMORED NTVS</td>
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<td>UTILITY VEHICLE, OFF ROAD</td>
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### Notes
- The table includes various categories and subcategories of equipment, with counts and numeric values for each entry.
Mr(s). ________ offered the following Resolution for adoption seconded by Mr(s). _________.

Resolution No. R-20-75

RESOLUTION

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL
AUTHORIZING THE APPOINTMENT OF MOBILE HOME RENT STABILIZATION
AND CONTROL BOARD SECRETARY

WHEREAS, there exists a need for the services of a Mobile Home Rent Stabilization
and Control Board Secretary; and

WHEREAS, this position is properly defined and budgeted for in the 2020 Budget;

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

1. That Caitlin Doren is hereby appointed to the position of Secretary to the Mobile
Home Rent Stabilization and Control Board effective immediately.

2. That upon the adoption of the within resolution, the Clerk is authorized and
directed to forward a certified copy of it to the Township Manager and Township Attorney
Joseph Clark.

VOTE AYES NAYS ABSTAIN ABSENT

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

This is to certify that the foregoing Resolution was adopted by the Township Council of the
Township of Howell during a public business meeting held on January 21, 2020.

________________________
ALLISON CIRANNI, TOWNSHIP CLERK
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

January 21, 2020

AGENDA ITEM NUMBER

9A.3
Resolution No. R-20-76

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL SUPPORTING THE 2020 CENSUS

WHEREAS, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy; and

WHEREAS, Howell Township is committed to ensuring every resident is counted; and

WHEREAS, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing; and

WHEREAS, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and municipal councils, and voting districts; and

WHEREAS, information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment; and

WHEREAS, the information collected by the census is confidential and protected by law; and

WHEREAS, a united voice from business, government, community-based and faith-based organization, educators, media and others will enable the 2020 Census message to reach more of our citizens;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Howell that Howell Township is committed to partnering with the U.S. Census Bureau and the State of New Jersey and will:

1. Support the goals and ideals for the 2020 Census and will disseminate 2020 Census information.
2. Encourage all Howell Township residents to participate in events and initiatives that will raise overall awareness of the 2020 Census and increase participation.
3. Support census takers as they help Howell Township complete an accurate count.
4. Strive to achieve a complete and accurate count of all persons within our borders.
VOTE            AYES            NAYS            ABSTAIN            ABSENT

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

This is to certify that the foregoing Resolution was adopted by the Township Council of the Township of Howell during a public business meeting held on January 21, 2020.

ALLISON CIRANINI, TOWNSHIP CLERK
Mr(s). offered the following Resolution for adoption seconded by Mr(s).

Resolution No. R-20-77

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL
AUTHORIZING A REFUND OF BINGO/RAFFLE LICENSE FEE

WHEREAS, St. Veronica Church, 4215 Hwy. 9 North, Howell, NJ 07731 obtained a Bingo License Application for St. Veronica’s Church and was inadvertently charged twice for a fee of $240.00; and

WHEREAS, St. Veronica’s has requested a refund in the amount of $240.00 for the overpayment; and

WHEREAS, the Township Clerk has recommended said refund;

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Howell that a refund in the amount of $240.00 be authorized and paid to St. Veronica Church, 4215 Hwy. 9 North, Howell, NJ 07731.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Chief Financial Officer and to The Church of St. Veronica of Howell.

VOTE:  

<table>
<thead>
<tr>
<th>AYES</th>
<th>NAYS</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Bonevich</td>
<td>Ms. Richmond</td>
<td>Mr. Russo</td>
<td>Deputy Mayor O’Donnell</td>
</tr>
<tr>
<td>Mr. Bonevich</td>
<td>Ms. Richmond</td>
<td>Mr. Russo</td>
<td>Mayor Berger</td>
</tr>
</tbody>
</table>

This is to certify that the foregoing Resolution was adopted by the Township Council of the Township of Howell during a regular meeting held on January 21, 2020.

Allison Ciranni, Township Clerk
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE January 21, 2020

AGENDA ITEM NUMBER 9A.5
RESOLUTION R-20-78

2019 Emergency Management Agency Assistance (EMAA) Grant

WHEREAS, the Township of Howell Office of Emergency Management has applied for a FY19 Emergency Management Assistance (EMAA) Grant in the amount of $21,973.81 ($10,000.00 Federal Amount and $11,973.81 Howell Township In-Kind Match) 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 and

WHEREAS, the Township of Howell Emergency Management Coordinator recommends that if the EMAA Grant is awarded, that it be accepted and used only for the purpose described in the application; and

THEREFORE, BE IT RESOLVED, by the Howell Township Council of the Township of Howell that if the above referenced EMAA Grant is awarded, that the Mayor and/or Emergency Management Coordinator be hereby authorized to execute grant documents, as needed, as representatives of the Township of Howell;

BE IT FURTHER RESOLVED, a certified copy of this resolution be forwarded to the Emergency Management Coordinator, Chief Financial Officer, and the Township Manager.

VOTE         AYES         NAYS         ABSTAIN         ABSENT         DISQUALIFY

Ms. Richmond
Mr. Russo
Mr. Bonevich
Deputy Mayor 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 January 21, 2020.

________________________________________
ALLISON CIRANNI, TOWNSHIP CLERK
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

January 21, 2020

AGENDA ITEM NUMBER

9A.6
A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING THE RETURN OF UNUSED WATER AND SANITARY SEWER REVIEW ESCROW FUNDS

WHEREAS, the above-named developer of the above-named land use development previously posted pursuant to the provisions of the Municipal Land Use Law (40:55D-53-h) and Township Ordinances, water and sanitary sewer review escrow funds for professional services to insure proper water and sanitary sewer reviews; and

WHEREAS, the water and sanitary sewer reviews have been completed and the project has been released from the maintenance guarantee; and

WHEREAS, by memorandum dated October 10, 2019, the Division of Engineering recommends the return of unused water review escrow funds in the amount of $416.70 and unused sanitary sewer review escrow funds in the amount of $1,104.74.

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 unused water review escrow funds in the amount of $416.70, plus interest if any, said funds to be returned to the developer from account 38-2080-00-01308-005 and unused sanitary sewer review escrow funds in the amount of $1,104.74, plus interest if any, said funds to be returned to the developer from escrow account 38-2080-00-01308-006.

2. A certified copy of this Resolution shall be provided by the Township Clerk to each of the following:

   a. Division Of Engineering
   b. Chief Financial Officer
   c. Guarantees Coordinator
   d. Howell Flex Center, LLC, 1490 Schoolhouse Road, Wall, NJ 07753

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 January 21, 2020.

ALLISON CIRANNI, TOWNSHIP CLERK
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

January 21, 2020

AGENDA ITEM NUMBER

9A.7
RESOLUTION AUTHORIZING A REFUND OF A
CONSTRUCTION PERMIT APPLICATION

WHEREAS, SUNRUN INSTALLATION SERVICES, 26 WORLD’S FAIR DRIVE,
UNIT K, SOMERSET, NJ 08873, ATTN: MELISSA WESLEY obtained Construction
Permit #2019-1781 and paid a permit fee of $386.00 – Block: 25 Lot: 2.02 –
337 Alexander Ave, Howell, NJ 07731 (Permit Fee $386.00) (DCA Fee- $11.00) (25%
Review Fee -), Total Due $281.25; and

WHEREAS, the refund is being requested due to cancellation by the
homeowner/abandonment of the project; and

WHEREAS, the Township’s construction code official has recommended the
refund; and

WHEREAS, it is now the desire of this governing body to act upon said
recommendation;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the
Township of Howell that a refund in the amount of $281.25 be authorized to be paid to
Sunrun Installation Services.

BE IT FURTHER RESOLVED, that upon the adoption of this resolution, the
Clerk is authorized and directed to forward a copy of same to the Township Chief
Financial Officer and Sunrun Installation Services.

BE IF FURTHER RESOLVED, that the refund is to be charged to #01-1920-08-
16000.

VOTE AYES NAYS ABSTAIN ABSENT

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

This is to certify that the Township Council of the Township of Howell adopted the
foregoing Resolution during a regular meeting held by that body on January 21, 2020.

Allison Ciranni, Township Clerk
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

January 21, 2020

AGENDA ITEM NUMBER

9A.8
RESOLUTION R-20-81

WHEREAS, the Township of Howell as a contracting unit may, without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Cranford Police Cooperative Pricing System (Co-Op #47-CPCPS) Pursuant to the provision of N.J.S.A. 40A:11-11: and

WHEREAS, Beyer of Morristown, 170 Ridgedale Avenue, Morristown, NJ 07962, has been awarded the Contract No. 19-01 (expiration 8/31/20) for Police and Administrative Vehicles; and

WHEREAS, under Contract 19-01, Beyer of Morristown, can provide one (1) 2020 Dodge Durango, for the Police Department.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Howell that Beyer of Morristown under the Cranford Police Cooperative Pricing System Contract 19-01 be utilized for the purchase one (1) 2020 Dodge Durango per their quote in the amount of $33,339.00 attached and to be made part of this resolution, for the Township of Howell.

BE IT FURTHER RESOLVED by the Township Council of the Township of Howell that pursuant to the rules of the Local Finance Board of the State of New Jersey that the appropriation to be charged is 04-1519 entitled Monmouth County Improvement Authority 2019 in the amount of $33,339.00.
VOTE

AYES  NAYS  ABSTAIN  ABSENT

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

This is to certify that the foregoing Resolution was adopted by the Township Council of the Township of Howell during a regular meeting held by that body on January 21st, 2020.

________________________________
Allison Ciranni, Township Clerk

MR/Cranford2020
# 2020 Dodge Durango (WDEE75) Pursuit AWD  
**CONTRACT 47-CPCPS, ITEM # 8**  

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<tbody>
<tr>
<td>Engine</td>
<td>3.6L V6 24V VVT UPG I w/ESS</td>
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<tr>
<td>Transmission</td>
<td>8-Speed Automatic</td>
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<tr>
<td>3.45 Rear Axle Ratio</td>
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<td>GVWR</td>
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<td>Full-Time All-Wheel Drive</td>
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<td>Engine Oil Cooler</td>
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<td>Police/Fire</td>
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<td>1460# Maximum Payload</td>
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<td>Front And Rear Anti-Roll Bars</td>
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<td>Gas-Pressurized Shock Absorbers</td>
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<td>Electric Power-Assist Steering</td>
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<td>Short And Long Arm Front Suspension</td>
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<td>Multi-Link Rear Suspension w/Coil Springs</td>
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<td>Body-Colored Power Heated Side Mirrors</td>
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<td>Liftgate Rear Cargo Access</td>
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<td>Front Fog Lamps</td>
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<td>Perimeter/Approach Lights</td>
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<td>Front Seats w/Power 4-Way Driver Lumbar</td>
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<td>12-Way Power Driver Seat</td>
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<td>4-Way Passenger Seat -inc: Manual Recline</td>
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<td>Remote Releases -Inc: Power Fuel</td>
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<td>Day-Night Auto-Dimming Rearview Mirror</td>
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<td>Driver And Passenger Visor Vanity Mirrors</td>
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<td>Front And Rear Map Lights</td>
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<td>Fade-To-Off Interior Lighting</td>
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<td>Full Carpet Floor Covering -inc: Floor Mats</td>
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<td>Carpet Floor Trim</td>
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<td>Cargo Space Lights</td>
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<td>Dual Stage Driver/Passenger Seat-Mounted Side Airbags</td>
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<td>Electronic Stability Control &amp; Roll Stability Control</td>
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<td>ABS And Driveline Traction Control</td>
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<td>Parksense w/Stop Rear Parking Sensors</td>
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<td>Outboard Front Lap And Shoulder Safety Belts</td>
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<tr>
<td>ParkView Back-Up Camera</td>
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### Options for Durango Pursuit AWD

<table>
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<tr>
<th>Option</th>
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<td>Engine: 5.7L V8 HEMI MDS VVT</td>
<td>$3,075.00</td>
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<tr>
<td>Skid Plate Group</td>
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<td>Trailer Tow Group IV</td>
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<td>Blind Spot &amp; Cross Path Detection</td>
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<tr>
<td>MOPAR Front &amp; Rear All Weather Floor Mats</td>
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</tr>
<tr>
<td>SiriusXM Satellite Radio -inc: 1-Year SiriusXM Radio Service</td>
<td>$195.00</td>
</tr>
<tr>
<td>NJ Title Fee (Includes MG Plates)</td>
<td>$60.00</td>
</tr>
<tr>
<td>Exterior Color: Reactor Blue</td>
<td>-</td>
</tr>
</tbody>
</table>

**Options Total** $5,900.00

**Vehicle Total** $33,339.00

Date: 12/24/2019

Quote is good for 60 Days

To accept this quotation, sign here and return: ________________________________
Mr.(s) ____ offered the following Resolution for adoption seconded by Mr.(s) _____.

Resolution No: R-20-82


WHEREAS, there was a declaration of emergency with respect to the existing flashing traffic signal at the intersection of Fort Plains Road and Hulses Corner Road prepared by the Township Manager, Brian Geoghegan; and

WHEREAS, Tiffany Electric Inc., 5 Eastmans Road, Parsippany, NJ 07054 has been authorized to replace the damaged traffic signal, wire, electric service and utility support poles without public bidding pursuant to the provisions of N.J.S.A. 40A:11-6, N.J.S.A. 19:44A-20.4, and in compliance with N.J.S.A. 19:44A-20.26; and

WHEREAS, provisions of N.J.S.A. 40A:11-6 permit the Township of Howell to award contracts without public bidding or quotations when an emergency affecting the health, welfare and safety of the public requires the immediate performance of services; and

WHEREAS, Brian Geoghegan, Township Manager declared this situation an emergency condition affecting the health and safety of the public on January 15, 2020; and

WHEREAS, the contract price for said emergency contract totals $20,900.00; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to make said emergency purchase.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Howell in the County of Monmouth that authorization is hereby memorialized engaging Tiffany Electric, Inc. to replace the damaged traffic signal, wire, electric service and utility support poles without public bidding and to provide for the payment of the contract price pursuant to the provisions of N.J.S.A. 40A:11-6.
<table>
<thead>
<tr>
<th>VOTE</th>
<th>AYES</th>
<th>NAYS</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
<th>DISQUALIFY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Bonevich</td>
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<tr>
<td>Ms. Richmond</td>
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<tr>
<td>Mr. Russo</td>
<td></td>
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<tr>
<td>Mrs. O’Donnell</td>
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<tr>
<td>Mayor Berger</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

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 January 21, 2020.

Allison Ciranni, Township Clerk
Howell Township  
4567 Route 9 North 2nd Floor  
Howell, New Jersey 07731

January 8, 2020

Renovate Flashing Signal  
Hulses Corner Road & Fort Plains Road

We hereby propose to supply the labor, material, tools and equipment to supply and install:

1. One (1) wood pole with back guy and span wire from the new pole to the existing hardware on the existing utility pole. The Township will remove excess soil and supply clean stone or gravel to backfill around the new pole.
2. A new electrical service and flasher panel assembly in a pole mounted “G” cabinet for new red flashing signal.
3. 4-way traffic signal (8”, 2-section) with tunnel visors and span wire mounting configuration.

OUR PRICE FOR THIS WORK IS $20,900.00.

Exclusions  
Permits, fees, inspection, survey and layout  
Police traffic directors  
Co-ordination with utility company  
Striping and signage  
Removal of excess soils  
Clean stone for backfill of new wood pole

All work will be performed in a workmanlike manner and commence upon receipt of this signed proposal or at the time of your purchase order.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Authorized Signature  
Date of Acceptance: ____________________________

Signature  

# Tiffany Electric, Inc.
**Lic & Bus 14986**  
6 Eastmans Road  
Phone: 973-867-0901 Fax: 973-867-0905

## Project
Remove Flashing Signal

## Location:
Hulse Corner Road & Fort Pisna Road  
Howell

## Labor

<table>
<thead>
<tr>
<th>Classification</th>
<th>Hours</th>
<th>Rate</th>
<th>Labor Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reg</td>
<td>Prem</td>
<td>Double</td>
</tr>
<tr>
<td>Electrical Foreman - 2 men 3 days</td>
<td>48</td>
<td>56.12</td>
<td>84.16</td>
</tr>
<tr>
<td>Electrical Foreman - 3 men 1 day</td>
<td>24</td>
<td>56.12</td>
<td>84.16</td>
</tr>
<tr>
<td><strong>Total Direct Labor:</strong></td>
<td></td>
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</tbody>
</table>

## Payroll Taxes and Insurance

<table>
<thead>
<tr>
<th>Classification</th>
<th>Rate</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>FICA</td>
<td>7.65%</td>
<td>$309.11</td>
</tr>
<tr>
<td>NJ Unemployment</td>
<td>4.59%</td>
<td>$185.47</td>
</tr>
<tr>
<td>NJ Disability</td>
<td>1.00%</td>
<td>$49.41</td>
</tr>
<tr>
<td>FUTA</td>
<td>0.80%</td>
<td>$32.33</td>
</tr>
<tr>
<td>Workers Compensation</td>
<td>7.80%</td>
<td>$315.17</td>
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<tr>
<td>General Liability</td>
<td>4.85%</td>
<td>$187.89</td>
</tr>
<tr>
<td>Umbrella</td>
<td>4.86%</td>
<td>$188.29</td>
</tr>
<tr>
<td><strong>Total Taxes and Insurance:</strong></td>
<td></td>
<td><strong>$1,258.88</strong></td>
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</table>

## Labor Fringe Benefits

<table>
<thead>
<tr>
<th>Classification</th>
<th>Hours</th>
<th>Rate</th>
<th>Fringes Cost</th>
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<tbody>
<tr>
<td></td>
<td>Reg</td>
<td>Prem</td>
<td>Double</td>
</tr>
<tr>
<td>Electrical Foreman - 2 men 3 days</td>
<td>48</td>
<td>41.15</td>
<td>81.73</td>
</tr>
<tr>
<td>Electrical Foreman - 3 men 1 day</td>
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<td><strong>Total Fringe Benefits:</strong></td>
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</table>

## Equipment

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Hours</th>
<th>Rate</th>
<th>Equipment Cost</th>
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</thead>
<tbody>
<tr>
<td>Bucket truck</td>
<td>32</td>
<td>63.16</td>
<td>$2,021.12</td>
</tr>
<tr>
<td>Utility / Tool Truck</td>
<td>24</td>
<td>23.70</td>
<td>$560.50</td>
</tr>
<tr>
<td>Digger Derrick</td>
<td>16</td>
<td>63.16</td>
<td>$1,016.96</td>
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<td><strong>Total Equipment Cost:</strong></td>
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<td></td>
<td><strong>$3,600.48</strong></td>
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</table>

## Subcontractors

<table>
<thead>
<tr>
<th>NOTE</th>
<th>Qty</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Material Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
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<td></td>
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</tbody>
</table>

## Materials

<table>
<thead>
<tr>
<th>Item</th>
<th>Vendor</th>
<th>Qty</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Material Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wood Pole</td>
<td>Edgar Allan</td>
<td>1</td>
<td>Ea</td>
<td>1550.00</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Span wire, back guys and anchor</td>
<td>SCP</td>
<td>1</td>
<td>LS</td>
<td>1250.00</td>
<td>1,250.00</td>
</tr>
<tr>
<td>Signal assembly</td>
<td>SCP</td>
<td>1</td>
<td>Ea</td>
<td>1125.00</td>
<td>1,125.00</td>
</tr>
<tr>
<td>14/5 conductor</td>
<td>Ace</td>
<td>100</td>
<td>LF</td>
<td>0.56</td>
<td>55.00</td>
</tr>
<tr>
<td>Service-PVC, wire, meter pan</td>
<td>SCP</td>
<td>1</td>
<td>LS</td>
<td>450.00</td>
<td>450.00</td>
</tr>
<tr>
<td>Pole mounted flasher and service cabinet</td>
<td>SCP</td>
<td>1</td>
<td>Ea</td>
<td>1450.00</td>
<td>1,450.00</td>
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</table>
MARKUP FOR OVERHEAD AND PROFIT

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Labor</td>
<td>$4,040.64</td>
</tr>
<tr>
<td>Labor Fringe Benefits</td>
<td>$2,962.80</td>
</tr>
<tr>
<td>Material</td>
<td>$5,830.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>$12,833.44</strong></td>
</tr>
<tr>
<td>Markup Percentage</td>
<td>15.00%</td>
</tr>
<tr>
<td><strong>Total Overhead Markup</strong></td>
<td><strong>$1,925.02</strong></td>
</tr>
</tbody>
</table>

Subcontractor Profit Markup

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subcontractor Cost</td>
<td>$</td>
</tr>
<tr>
<td>Markup Percentage</td>
<td>5.00%</td>
</tr>
<tr>
<td><strong>Total Profit Markup</strong></td>
<td><strong>$</strong></td>
</tr>
</tbody>
</table>

Profit Markup

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Labor</td>
<td>$4,040.64</td>
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<tr>
<td>Labor Fringe Benefits</td>
<td>$2,962.80</td>
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<tr>
<td>Material</td>
<td>$5,830.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>$12,833.44</strong></td>
</tr>
<tr>
<td>Markup Percentage</td>
<td>10.00%</td>
</tr>
<tr>
<td><strong>Total Profit Markup</strong></td>
<td><strong>$1,283.34</strong></td>
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</tbody>
</table>

TOTAL TIME AND MATERIALS

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Labor</td>
<td>$4,040.64</td>
</tr>
<tr>
<td>Payroll Taxes and Insurance</td>
<td>$1,237.41</td>
</tr>
<tr>
<td>Labor Fringe Benefits</td>
<td>$2,962.80</td>
</tr>
<tr>
<td>Subcontractor Cost</td>
<td>$</td>
</tr>
<tr>
<td>Material</td>
<td>$5,830.00</td>
</tr>
<tr>
<td>Overhead Markup</td>
<td>$1,925.02</td>
</tr>
<tr>
<td>Profit Markup</td>
<td>$1,283.34</td>
</tr>
<tr>
<td>Subcontractor Profit Markup</td>
<td>$</td>
</tr>
<tr>
<td>Equipment</td>
<td>$3,603.46</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$20,899.89</strong></td>
</tr>
</tbody>
</table>
Signal Control Products, Inc.
199 Evans Way
Branchburg, NJ 08876
Tel: 908-231-1133
Fax: 908-707-0333

**Bill To**
TIFFANY ELECTRIC COMPANY
ATTN: JOYCE
5 EASTMANS ROAD
PARSIPPANY, NJ 07054

**Ship to**
TIFFANY ELECTRIC COMPANY
ATTN: JOYCE
5 EASTMANS ROAD
PARSIPPANY, NJ 07054

<table>
<thead>
<tr>
<th>Customer No</th>
<th>Shpsn</th>
<th>Payment terms</th>
<th>Ship via</th>
<th>Shipping Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>TIF100</td>
<td>2</td>
<td>30 Days Net</td>
<td>SCP TRUCK</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Qty Ordered</th>
<th>UON</th>
<th>Item No</th>
<th>Unit price</th>
<th>Extended price</th>
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</thead>
<tbody>
<tr>
<td>RE: HOWELL TWP FLASHER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.00</td>
<td>EA</td>
<td>TSH</td>
<td>1,120.00</td>
<td>1,120.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>8' 2-SEC 4-WAY TRAFFIC SIGNAL</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>w/ TUNNEL VISORS (R &amp; LEDE)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>SPAN WIRE MOUNT CONFIG</td>
<td></td>
</tr>
<tr>
<td>1.00</td>
<td>EA</td>
<td>1847</td>
<td>1,465.00</td>
<td>1,465.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>24HR FLASHER PANEL ASSY IN</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>TYPE &quot;G&quot; POLE MOUNT CABINET</td>
<td></td>
</tr>
</tbody>
</table>

**Quote Total**
2,585.00
REGULAR MEETING DATE January 21, 2020

AGENDA ITEM NUMBER 9A.10
Mr.(s) ____ offered the following Resolution for adoption seconded by Mr.(s) ____.

Resolution No: R-20-83

RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT FOR BLOCK 185, LOT 37 (PAR GOLF GROUP, LLC)

WHEREAS, the Township of Howell has adopted the Howell Township Wastewater Management Plan identifying those areas of the Township approved for service by public sanitary sewer; and

WHEREAS, a request has been received from Par Golf Group, LLC the owners of Lot 37 in Block 185, commonly known as 308 Asbury Road, Howell, New Jersey that this property be included in Township Wastewater Management Plan for the future installation and connection of public sanitary sewer; and

WHEREAS, Mayor and Council have considered the request and found same to be in furtherance of the best interests and general welfare of the citizens of Howell Township; and

WHEREAS, Mayor and Council desire to indicate to the County of Monmouth, Manasquan River Regional Sewerage Authority, Ocean County Utilities Authority and the New Jersey Department of Environmental Protection its inclusion of the subject lot in the Township Wastewater Management Plan.

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

1. Hereby consents to including the property known as Lot 37 in Block 185 and commonly known as 308 Asbury Road in the Howell Township Wastewater Management Plan.

2. This Resolution shall serve as a letter of no objection to the inclusion of the subject premises subject to the Manasquan River Regional Sewerage Authority, Monmouth County, Ocean County Utilities Authority and New Jersey Department of Environmental Protection Wastewater Management Plans.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Clerk of the Township to be a true copy be forwarded to the County of Monmouth Division of Planning, State of New Jersey Department of Environmental Protection, Ocean County Utilities Authority and Manasquan River Regional Sewerage Authority.
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 January 21, 2020.

Allison Ciranni, Township Clerk
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE
January 21, 2020

AGENDA ITEM NUMBER
9A.11
Mr.(s) ____ offered the following Resolution for adoption seconded by Mr.(s) ____.

Resolution No: R-20-84

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL
AWARDING A PROFESSIONAL SERVICE CONTRACT TO CME ASSOCIATES, THE
TOWNSHIP OF HOWELL’S CONSULTING ENGINEER, FOR PROFESSIONAL
CONSULTING ENGINEERING SERVICES RELATED TO THE 2020 CAPITAL PROGRAM
#2 - DEVELOPMENTS, NOT TO EXCEED $39,400.00.

WHEREAS, the Township of Howell requires Consulting Engineering Services related to the
2020 Capital Program #2 - Developments; and

WHEREAS, funds are available and have been certified by the Township Chief Financial
Officer for said project; and

WHEREAS, this contract is being awarded as a Professional Service in accordance with the
requirements of the Local Public Contracts Law and the General Provisions of the Township of Howell
Ordinance O-17-01; and

WHEREAS, this contract will further be based upon the proposal from CME Associates, 1460
Route 9 South, Howell, NJ 07731 submitted on January 10, 2020, CME Proposal No. 2020-004, in the
not to exceed amount of $39,400, for Consulting Engineering Services related to the 2020 Capital
Program #2 - Developments.

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

1. That the Township Council of the Township of Howell hereby formally awards a contract to
CME Associates, for Consulting Engineering Services related to the 2020 Capital Program #2 -
Developments in accordance with the proposal submitted on January 10, 2020, CME No. 2020-004
attached hereto and made a part hereof.

2. That this contract will be carried out in accordance with the terms of the contract for the
Township of Howell Consulting Engineer for the year 2020.

3. The amount to be expended on said project is not to exceed $39,400.00 and will be based upon
the hourly rates set forth in the CME Associates Hourly Rate Schedule subject to change January 1 of
every year.

4. This contract is awarded without competitive bidding as a “professional service” in
accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because of the specialized
professional consulting engineering services required to perform said service and the General Provisions
of the Township of Howell Ordinance O-17-01.
5. A Notice of this appointment shall be advertised in an official newspaper of the Township of Howell as required by law.

6. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to the Township CFO, Purchasing Officer and CME Associates.

<table>
<thead>
<tr>
<th>VOTE</th>
<th>AYES</th>
<th>NAYS</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
<th>DISQUALIFY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Bonevich</td>
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<td></td>
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<tr>
<td>Ms. Richmond</td>
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<tr>
<td>Mr. Russo</td>
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<td></td>
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<tr>
<td>Mrs. O’Donnell</td>
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<td></td>
<td></td>
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<tr>
<td>Mayor Berger</td>
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</tr>
</tbody>
</table>

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 January 21, 2020.

__________________________
Allison Ciranni, Township Clerk
January 10, 2020

Sent via Electronic Mail

Mr. James Herman, PE, CME
Township of Howell
4567 Route 9 North
PO Box 580
Howell, NJ 07731

Re: Fee Estimate for Professional Engineering Services for:
2020 Capital Program #2 – Developments
Howell Township, Monmouth County, NJ
Fee Estimate No. 2020-004

Dear Mr. Herman:

We are pleased to present our estimate of fees for professional land surveying and engineering services for the above-referenced project. It is our understanding that the Township desires to utilize Municipal funds to improve various roadways within the Township with the following project limits:

1. Bunker Hill Drive – full length
2. Plymouth Drive – full length
3. Boston Court – full length
4. Glen Road – full length
5. Kalmuck Road – full length
6. Westwood Drive – full length
7. Oakwood Drive – Glen Rd to Westwood Dr
8. Hedgewood Drive – full length
9. Peachstone Road – full length
10. Organdy Way – full length
11. Cidermill Court – full length
12. Louise Drive – full length
13. Rosewood Drive – full length

The roadways will be improved by means of mill & overlay with some areas of base repair where required as mentioned at the pre-proposal meeting. Driveway apron and handicap ramp reconstruction will be included where required. Miscellaneous drainage repairs including installation of bicycle safe grates, ‘ECO’ castings, and other associated work will be designed and included within the bid documents in accordance with NJDEP Stormwater Regulations.

It is our understanding that there is a drainage issue at Louise Drive which we will look to resolve by re-grading the road or installing stormwater piping and inlets.
It is also our understanding that there are high groundwater table issues or concerns on Hedgewood Road and Peachstone Road. CME has successfully designed and coordinated the construction of hundreds of thousands of feet of underdrains and leader drain collection systems, including along Starlight Road in this same development.

With this being said, we anticipate the following scope of work:

A. **Survey and Base Map Phase Services** – Work in this phase will include preparation of base mapping for use in the design of the construction plans. We will utilize GIS mapping for the base map to be utilized for the project supplemented with field survey data where specified at the pre-proposal meeting on January 3, 2020. Approximate property lines will be established utilizing located property markers and tax map information.

B. **Design Phase Services** – This work will consist of the preparation of construction plans, quantities, and a construction cost estimate. The services have been divided into tasks as detailed below:
   - Prepare construction and grading plans where required;
   - Prepare typical cross sections;
   - Design required storm sewer improvements;
   - Prepare construction details, location map, and traffic control plan;
   - Coordinate with utility companies for possible upgrades or relocation;
   - Coordinate with Township DPW regarding test pits to determine pavement thickness and CCTV of storm sewers where required. As discussed at the pre-proposal meeting, test pits and CCTV inspection will be performed by the Township;
   - Coordinate with Township Sewer Department regarding review of sewer manholes and mains to determine necessary repairs. As discussed at the pre-proposal meeting, sewer manholes and mains will be reviewed by the Township;
   - Attend two (2) progress meetings with Township;
   - Prepare construction quantities; and
   - Prepare a construction cost estimate.

C. **Preparation of Bid Documents** – This work will consist of the preparation of contract documents and specifications required for public bid in accordance with the New Jersey Local Public Contracts Law. Detailed specifications will be provided for the items to be included in the contract including plans for the maintenance and protection of traffic.
D. **Bid Phase Services** – Work in this phase will provide the following services to publicly bid the project in accordance with the Local Public Contracts Law:

- Provide Bid Documents to Prospective Bidders as needed;
- Answer Prospective Bidder’s Request for Information;
- Provide Addenda for Clarification of Project Specifications;
- Attend Bid Opening;
- Analyze Responsible Bids and Recommend Contract Award;
- Coordinate with Township as needed.

We will provide the necessary engineering services as described above based upon the cost breakdown as noted below:

A. **Survey and Base Map Services** ................................................................. $7,500
B. **Design Phase Services** ................................................................. $25,900
C. **Preparation of Bld Documents** ................................................................. $3,000
D. **Bid Phase Services** ................................................................. $3,000

**Total Estimated Fee for Services** ................................................................. $39,400

**Exceptions:**

- Any engineering services not indicated in this proposal will be invoiced at a mutually agreed upon price and as specifically authorized by the Administrator and/or the Governing Body.

- Construction phase services have been excluded from this fee estimate.

- It is anticipated that permits will not be required for this project. Therefore, permit phase services and permit application fees are not included in this fee estimate.

- Pre-design pavement cores and analysis have been excluded from this fee estimate. It is anticipated that the Township DPW will perform any necessary test pits and CCTV inspection during the design phase.

- As discussed at the pre-proposal meeting on 1/3/20, Glen Road may require full curb and sidewalk replacement. Existing slopes will be reviewed during the design phase. If
it is determined that detailed grades are required in order to construct said improvements and ensure positive drainage, additional field survey locations may be required. Should this be required, our office will request authorization based on a mutually agreed upon price prior to performing this work.

Thank you again for the opportunity to offer our professional services, and should you have any questions or require additional information, please do not hesitate to contact this office.

Should you accept our fee estimate, kindly provide a purchase order or professional services Resolution authorizing same.

Very truly yours,

CME Associates

Douglas M. Rohmeyer PE, CME, CFM
Principal

DMR/BM
cc: Brian Geoghegan – Township Manager
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

January 21, 2020

AGENDA ITEM NUMBER

9A.12
Mr.(s) ____ offered the following Resolution for adoption seconded by Mr.(s) ____.

Resolution No: R-20-85

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL
AWARDING A PROFESSIONAL SERVICE CONTRACT TO T&M ASSOCIATES, THE
TOWNSHIP OF HOWELL’S CONSULTING ENGINEER, FOR PROFESSIONAL
CONSULTING ENGINEERING SERVICES RELATED TO THE 2020 CAPITAL PROGRAM
#3 – VARIOUS OUT ROADS, NOT TO EXCEED $64,800.00.

WHEREAS, the Township of Howell requires Consulting Engineering Services related to the
2020 Capital Program #3- Various Out Roads; and

WHEREAS, funds are available and have been certified by the Township Chief Financial
Officer for said project; and

WHEREAS, this contract is being awarded as a Professional Service in accordance with the
requirements of the Local Public Contracts Law and the General Provisions of the Township of Howell
Ordinance O-17-01; and

WHEREAS, this contract will further be based upon the proposal from T&M Associates, 1144
HOWL-16001, in the not to exceed amount of $64,800.00, for Consulting Engineering Services related
to the 2020 Capital Program #3 – Various Out Roads.

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

1. That the Township Council of the Township of Howell hereby formally awards a contract to
T&M Associates, for Consulting Engineering Services related to the 2020 Capital Program #3 – Various
Out Roads in accordance with the proposal submitted on January 10, 2020, T&M No. HOWL-16001
attached hereto and made a part hereof.

2. That this contract will be carried out in accordance with the terms of the contract for the
Township of Howell Consulting Engineer for the year 2020.

3. The amount to be expended on said project is not to exceed $64,800.00 and will be based upon
the hourly rates set forth in the T&M Associates Hourly Rate Schedule subject to change January 1 of
every year.

4. This contract is awarded without competitive bidding as a “professional service” in
accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because of the specialized
professional consulting engineering services required to perform said service and the General Provisions
of the Township of Howell Ordinance O-17-01.
5. A Notice of this appointment shall be advertised in an official newspaper of the Township of Howell as required by law.

6. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to the Township CFO, Purchasing Officer and T&M Associates.

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 January 21, 2020.

__________________________
Allison Ciranni, Township Clerk
January 10, 2020

Jim Herrman, P.E.
Director of Community Development
Howell Township
4567 Route 9 North
Howell, NJ 07731

Re: T&M File No. HOWL-16001
2020 Capital Program #3 – Various Out Roads
Proposal for Professional Services
Township of Howell, Monmouth County, NJ

Dear Mr. Herrman:

In response to your request, T&M Associates (T&M) is pleased to submit this proposal for Professional Services associated with the repair of various roadways, totaling approximately 3.5 miles of primarily mill and overlay with areas of full pavement reconstruction in the required survey areas. In addition, standard pavement base repair (prior to mill and overlay), curb repair, ADA curb ramp replacement and drainage structure repair will be made prior to the general mill and overlay work. Portions of the following roadways are included in the 2020 Capital Program #3 – Various Out Roads: Hilltop Road, Beretta Way, Tyrpak Road South, Tyrpak Road North, Birdsall Road, Newtons Corner Road, and Amy Court.

Upon review of the RFP documents provided, T&M Associates offers the following professional services:

**PHASE I: PRELIMINARY DESIGN SERVICES**

**Task 1: Survey ($23,100.00)**

T&M Associates shall provide a topographic survey of Hilltop Road and Beretta Way, Tyrpak Road (North & South), and Birdsall Road (Including intersection with Central Avenue and CR524/547) as shown and described in the plans entitled “2020 Capital Program #3 – Various Out Roads” prepared by James R. Herrman, P.E., C.M.E. Survey shall include Centerline, edge of pavement/bottom of curb, top of curb (where applicable) and right-of-way (approximate) shots every 50 feet along the roadway, except in areas of obvious changes in grade where sections will be at 25 feet intervals. Topography on radii of intersections will be at 10 feet intervals. In addition, driveways, sidewalk, signs, trees, fences, valve boxes, inlets, manholes, utility poles, landscaping features and other auxiliary items shall be located along the roadway. Pipe size, type and invert will be identified for all drainage and sanitary systems within the survey limits. The drainage system and NJNG gas transmission main markers located on the south side of Birdsall Road from CR 524/547 to the eastern survey limits will be located. The gravel/dirt pull off located just west of the bridge on Birdsall will also be located. For Hilltop Road and Beretta Way, the limits of the survey will be expanded on the east side of the horizontal curve to allow for increasing of the radius, which will also include the location of trees greater than 6” in diameter to identify possible tree removal. For Tyrpak Road South, the limits of the survey will be expanded for the last 100 ft. of the roadway to allow for the design/installation of a 40-50 ft. wide cul-de-sac turnaround but will not include the location of individual trees. For Tyrpak Road North, the existing gravel/dirt cul-de-sac will be surveyed to allow for the formal paving/reconfiguration of the cul-de-sac turnaround. Additional survey detail will be provided at the intersection of Tyrpak Road and West Farms Road to allow for the installation of a pedestrian bus pad area (SW corner) and widening of the first 150 ft. of Tyrpak Road North. The horizontal datum will be New Jersey State Plan Coordinate System utilizing (NAD83), Vertical datum shall be NAVD88 for all surveyed areas. Survey basemaps will be prepared at 1"=30’ scale.
Basemaps for all other roadways and areas not specified as requiring survey (primarily West Farms Road, Newtons Corner Road, Amy Court but also portions of Hilltop Road and Birdsall Road) will be created using GIS information provided by the Township of Howell and the most currently available aerial imagery. All of the existing storm drainage systems on these roadways will be located by field measurements and from aerial imagery. Only in the event that these structures and associated piping require significant reconstruction or replacement will pipe sizes and relative invents be measured and only identified by hand (not by topo survey grade). GIS basemaps will be prepared at 1”=30’ scale. All GIS Basemapping work shall be included in the Task 1: Roadway Design & Plan Preparation of Phase 2.

**Task 2: Field Investigations & Data Gathering ($3,000.00)**
T&M Associates shall visit the project site and collect photographs and field data to supplement the design of the project and GIS basemap preparation. In addition, T&M shall review and specify design concerns with the Township to ensure the design satisfies the Township’s intentions for the project.

**Task 3: Project Management Activities ($1,200.00)**
T&M Associates shall provide project management services during the preliminary design phase for the Township to ensure the design satisfies the Township’s scope and intentions for the project.

**PHASE 2: DESIGN SERVICES $37,500.00**

**Task 1: Roadway Design & Plan Preparation ($31,000.00)**
T&M Associates shall prepare roadway design plans in accordance with NJDOT Municipal Aid Standards. Design plans shall include 60% and 90% plan review meetings with Township staff prior to finalizing the plans for bidding. Although the project will utilize NJDOT standards, no effort has been budgeted for submittal to or correspondence with NJDOT.

The plan set shall include the following sheets:

- Cover Sheet (1 sheet)
- General Notes & Distribution of Quantities (2-3 sheets)
- Existing Conditions and Layout (10-12 sheets)
- Construction Plan (10-12 sheets)
- Grading Plan and Profiles (All of Tyrpak Road North & South, Select Portions of Hilltop Rd. & Birdsall Rd.) (8-9 sheets)
- Cross Sections (All of Tyrpak Road North & South, Select Portions of Hilltop Rd. & Birdsall Rd.) (8-9 sheets)
- Signage & Striping Plan (Select Portions of Hilltop Rd. & Birdsall Rd. for Superelevated Curves) (4-5 sheets)
- SESC Plan/Details (if required) (1 sheets)
- General ADA Curb Ramp Construction Details (1 sheet)
- Construction Details (±3 sheets)
- Traffic Control Notes & Details (1 sheet)

**Task 2: Freehold Soil Conservation District Permit Application ($2,000.00)**
T&M Associates shall prepare a soil erosion and sediment control permit application to the Freehold Soil Conservation District (application fee to be provided by the Owner). Time has been budgeted to prepare a full application submission including plans and time for minor revisions to address any review comments issued by FSCD.
Le: Mr. Jim Herrman, P.E., Director of Community Development
Howell Township
Re: 2020 Capital Program #3 – Various Out Roads
Proposal for Professional Services
Township of Howell, Monmouth County, NJ

HOVL-16001
January 10, 2020

Task 3: Project Specifications & Bid Documents ($2,500.00)
T&M Associates shall prepare project specifications and bid documents necessary for the public bidding of the project. Specifications shall utilize T&M’s standard front end. Technical Specifications shall be based upon the 2007 NJDOT Specifications, most recent version and shall utilize the Special Provisions for State Aid Projects. In addition to project specifications T&M shall prepare a construction cost estimate for review by the Township prior to bidding.

Task 4: Public Bidding and Contract Award ($2,000.00)
T&M Associates shall prepare a public notice to bidders, provide advertisement in an official publication of the Township, respond to bidder questions, schedule and attend a public bid opening, review bids received, prepare a recommendation of award letter to the Owner. Any costs associated with the preparation of Contracts, Notice of Award and beyond is NOT included in this proposal. T&M Associates can provide a separate proposal for those Construction Phase services upon request.

PHASE 3: CONSTRUCTION SERVICES

(Not Included in Scope of Proposal)

Any costs associated with Contract administration and Construction Observation are NOT included in this proposal. T&M Associates can provide a separate proposal for those services upon request.

EXCLUSIONS

- The budgeted effort does not include right-of-way determination for any of the Roadways. All right-of-way and property lines will be drawn from best available GIS parcel or tax map data. Property markers and monuments will be located as are visible in the field during the topographic survey noted above. Should the owner require these services for the horizontal curve section of Hilltop Road, this would be an additional cost of $2,500.00.

- The budgeted effort includes limited time (approximately 6-8 total hours) for coordination with Monmouth County for the Roadway improvements at the intersection of Birdsall Road and CR524/547. The effort shall include preliminary contact with the County, answering general questions during the design, and providing final construction plans for the County Engineering Department’s review/record. It does not include any coordination with the County during construction or the submission of a road opening permit. Should the owner or County require additional services or effort beyond this scope, a separate proposal can be provided.

- The budgeted effort includes limited time (approximately 8-10 total hours) for coordination with the Utility Pole owner for the relocation of approximately two (2) utility poles at the intersection of Tyrpak Road and West Farms Road for the possible widening of Tyrpak Road North and the installation of a bus pad waiting area at the SW corner. The effort shall include preliminary contact with the utility pole owner, answering general questions during the design, and providing final construction plans for the utility companies review. It does not include any coordination with the utility owner during construction. Should the owner or utility company require additional services or effort beyond this scope, a separate proposal can be provided.

- The Preliminary Design Service and Design Service Phases of this proposal do not include any costs associated with providing environmental regulatory and permitting services as required by NJDEP or any other environmental regulatory agencies for the proposed improvements. This includes any regulatory permits that may or may not be required for the replacement of various culvert crossing pipes in the vicinity of streams, wetlands or category one waters. Should the
Le:  Mr. Jim Herrman, P.E., Director of Community Development  
Howell Township  
Re:  2020 Capital Program #3 – Various Out Roads  
Proposal for Professional Services  
Township of Howell, Monmouth County, NJ  

Based on this scope of work and time schedule, we propose a not to exceed fee of $64,800.00 to be billed monthly utilizing T&M’s current schedule of hourly billing rates. Scope of work shall be limited to those items specifically addressed in this proposal, should the need for additional services arise T&M will provide the Township with a separate proposal. On behalf of T&M Associates, I would like to thank you and the Governing Body for the opportunity to submit this Proposal. We look forward to working with you and members of your staff in the future.

Very truly yours,
T&M ASSOCIATES

CHARLES P. CUNLIFFE, P.E., P.P., C.M.E.

CPC:jet

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TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

January 21, 2020

AGENDA ITEM NUMBER

9A.13
Mr.(s) ____ offered the following Resolution for adoption seconded by Mr.(s) _____.

Resolution No: R-20-86

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL
AWARDING A PROFESSIONAL SERVICE CONTRACT TO T&M ASSOCIATES, THE
TOWNSHIP OF HOWELL’S CONSULTING ENGINEER, FOR PROFESSIONAL
CONSULTING ENGINEERING SERVICES RELATED TO THE 2020 CAPITAL PROGRAM
#4– NJAW ROADWAY IMPROVEMENTS, NOT TO EXCEED $71,600.00.

WHEREAS, the Township of Howell requires Consulting Engineering Services related to the
2020 Capital Program #4- NJAW Roadway Improvements; and

WHEREAS, funds are available and have been certified by the Township Chief Financial
Officer for said project; and

WHEREAS, this contract is being awarded as a Professional Service in accordance with the
requirements of the Local Public Contracts Law and the General Provisions of the Township of Howell
Ordinance O-17-01; and

WHEREAS, this contract will further be based upon the proposal from T&M Associates, 1144
HOWL-16001, in the not to exceed amount of $71,600.00, for Consulting Engineering Services related
to the 2020 Capital Program #4 – NJAW Roadway Improvements.

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

1. That the Township Council of the Township of Howell hereby formally awards a contract to
T&M Associates, for Consulting Engineering Services related to the 2020 Capital Program #4 – NJAW
Roadway Improvements in accordance with the proposal submitted on January 10, 2020, T&M No.
HOWL-16001 attached hereto and made a part hereof.

2. That this contract will be carried out in accordance with the terms of the contract for the
Township of Howell Consulting Engineer for the year 2020.

3. The amount to be expended on said project is not to exceed $71,600.00 and will be based upon
the hourly rates set forth in the T&M Associates Hourly Rate Schedule subject to change January 1 of
every year.

4. This contract is awarded without competitive bidding as a “professional service” in
accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because of the specialized
professional consulting engineering services required to perform said service and the General Provisions
of the Township of Howell Ordinance O-17-01.
5. A Notice of this appointment shall be advertised in an official newspaper of the Township of Howell as required by law.

6. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to the Township CFO, Purchasing Officer and T&M Associates.

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 January 21, 2020.

________________________________________
Allison Ciranni, Township Clerk
January 10, 2020

Jim Herrman, P.E.
Director of Community Development
Howell Township
4567 Route 9 North
Howell, NJ 07731

Re: T&M File No. HOWL-16001
2020 Capital Program #4 – NJAW Roadway Improvements
Proposal for Professional Services
Township of Howell, Monmouth County, NJ

Dear Mr. Herrman:

In response to your request, T&M Associates (T&M) is pleased to submit this proposal for Professional Services associated with the repair of various roadways, totaling approximately 3.4 miles of primarily mill and overlay to be perform by NJAW following their 30” water main installation within the project limits. Specific areas of full pavement reconstruction or full depth pavement reclamation may be required within specified survey areas that have been delineated by the owner to allow for profile changes. In addition, standard pavement base repair (prior to mill and overlay), curb repair, ADA curb ramp replacement and drainage structure repair will be made prior to the general mill and overlay work to be performed by NJAW. Portions of the following roadways are included in the 2020 Capital Program #4 – NJAW Roadway Improvements: Maxim Southard Road, Maxim Road, Preventorium Road, Old Tavern Road, Locust Avenue and Lanes Mill Road.

Upon review of the RFP documents provided, T&M Associates offers the following professional services:

PHASE I: PRELIMINARY DESIGN SERVICES

$22,100.00

Task 1: Survey ($18,400.00)
T&M Associates shall provide a topographic survey of Maxim Southard Road (at the intersection of Maxim Road), Maxim Road, Preventorium Road and Old Tavern Road (at the intersection of Preventorium Road) as shown and described in the plans entitled “2020 Capital Program #4 – NJAW Roadway Improvements” prepared by James R. Herrman, P.E., C.M.E. Survey shall include Centerline, edge of pavement/bottom of curb, top of curb (where applicable) and right-of-way (approximate) shots every 50 feet along the roadway, except in areas of obvious changes in grade where sections will be at 25 feet intervals. Topography on radii of intersections will be at 10 feet intervals. In addition, driveways, sidewalk, signs, trees, fences, valve boxes, inlets, manholes, utility poles, landscaping features and other auxiliary items shall be located along the roadway. Pipe size, type and inverts will be identified for all drainage and sanitary systems within the survey limits. This shall include two (2) culvert crossings on Maxim Road and one (1) on Preventorium Road. Expanded survey will be provided on Preventorium Road, south of Match Line D-D for future installation of a multipurpose trail (design by others). Expanded survey will also be provided on Preventorium Road, north of Matchline E-E to Old Tavern Road, to allow for widening of the roadway and curbing/paving of the existing gravel parking areas which service Oak Glen Park. The horizontal datum will be New Jersey State Plan Coordinate System utilizing (NAD83). Vertical datum shall be NAVD88 for all surveyed areas. Survey basemaps will be prepared at 1”=30’ scale.

Basemaps for all other roadways and areas not specified as requiring survey (primarily Maxim Southard, Locust Avenue and Lanes Mill Road but also portions of Maxim Road and Preventorium Road) will be created using GIS Basemaps which are to be provided by the Township of Howell. T&M will supplement these basemaps with labeling of driveways, house
numbers and other readily apparent improvements from the most currently available aerial imagery and site visits. Right-of-way and property lines will be depicted from available GIS and/or tax mapping. All of the existing storm drainage systems on these roadways will be located by field measurements and from aerial imagery. Only in the event that these structures and associated piping require significant reconstruction or replacement will pipe sizes and relative inverts be measured and only identified by hand (not by topo survey grade). GIS basemaps will be prepared at 1″=30’ scale. All GIS Basemapping work shall be included in the Task 1: Roadway Design & Plan Preparation of Phase 2.

**Task 2: Field Investigations & Data Gathering ($2,500.00)**
T&M Associates shall visit the project site and collect photographs and field data to supplement the design of the project and GIS basemap preparation. In addition, T&M shall review and specify design concerns with the Township to ensure the design satisfies the Township's intentions for the project.

**Task 3: Project Management Activities ($1,200.00)**
T&M Associates shall provide project management services during the preliminary design phase for the Township to ensure the design satisfies the Township's scope and intentions for the project.

**PHASE 2: DESIGN SERVICES**

**Task 1: Roadway Design & Plan Preparation ($43,000.00)**
T&M Associates shall prepare roadway design plans in accordance with NJDOT Municipal Aid Standards. Design plans shall include 60% and 90% plan review meetings with Township staff prior to finalizing the plans for bidding. Although the project will utilize NJDOT standards, no effort has been budgeted for submittal to or correspondence with NJDOT.

The plan set shall include the following sheets:

- Cover Sheet (1 sheet)
- General Notes & Distribution of Quantities (2-3 sheets)
- Existing Conditions and Layout (10-12 sheets)
- Construction Plan (10-12 sheets)
- Grading Plan and Profiles (Select Portions of Maxim Rd. & Preventorium Rd.) (5-6 sheets)
- Striping Plan (Preventorium Road at Oak Glen Park to Old Tavern Road) (2 sheets)
- SESC Plan/Details (if required) (1 sheets)
- General ADA Curb Ramp Construction Details (1 sheet)
- Construction Details (+3 sheets)
- Traffic Control Notes & Details (1 sheet)

**Task 2: Freehold Soil Conservation District Permit Application ($2,000.00)**
T&M Associates shall prepare a soil erosion and sediment control permit application to the Freehold Soil Conservation District (application fee to be provided by the Owner). Time has been budgeted to prepare a full application submission including plans and time for minor revisions to address any review comments issued by FSCD.

**Task 3: Project Specifications & Bid Documents ($2,500.00)**
T&M Associates shall prepare project specifications and bid documents necessary for the public bidding of the project. Specifications shall utilize T&M's standard front end. Technical Specifications shall be based upon the 2007 NJDOT Specifications, most recent version and
shall utilize the Special Provisions for State Aid Projects. In addition to project specifications T&M shall prepare a construction cost estimate for review by the Township prior to bidding.

**Task 4: Public Bidding and Contract Award ($2,000.00)**
T&M Associates shall prepare a public notice to bidders, provide advertisement in an official publication of the Township, respond to bidder questions, schedule and attend a public bid opening, review bids received, prepare a recommendation of award letter to the Owner. Any costs associated with the preparation of Contracts, Notice of Award and beyond is NOT included in this proposal. T&M Associates can provide a separate proposal for those Construction Phase services upon request.

**PHASE 3: CONSTRUCTION SERVICES** *(Not Included In Scope of Proposal)*

Any costs associated with Contract administration and Construction Observation are NOT included in this proposal. T&M Associates can provide a separate proposal for those services upon request.

**EXCLUSIONS**

- The budgeted effort does not include right-of-way determination for any of the Roadways. All right-of-way and property lines will be drawn from best available GIS parcel or tax map data. Property markers and monuments will be located as are visible in the field during the topographic survey noted above.

- The budgeted effort includes limited time (approximately 6-8 total hours) for coordination with Monmouth County for the Roadway improvements at the intersection of Preventorium and Old Tavern Road. The effort shall include preliminary contact with the County, answering general questions during the design, and providing final construction plans for the County Engineering Department’s review/record. It does not include any coordination with the County during construction or the submission of a road opening permit. Should the owner or County require additional services or effort beyond this scope, a separate proposal can be provided.

- The budgeted effort includes limited time (approximately 14-16 total hours) for coordination with the Utility Pole owner for the relocation of nine (9) utility poles on Preventorium Road to allow for the widening of the roadway and installation of parking stalls adjacent to Oak Glen Park. The effort shall include preliminary contact with the utility pole owner, answering general questions during the design, and providing final construction plans for the utility companies review. It does not include any coordination with the utility owner during construction. Should the owner or utility company require additional services or effort beyond this scope, a separate proposal can be provided.

- The Preliminary Design Service and Design Service Phases of this proposal do not include any costs associated with providing environmental regulatory and permitting services as required by NJDEP or any other environmental regulatory agencies for the proposed improvements. This includes any regulatory permits that may or may not be required for the replacement of various culvert crossing pipes in the vicinity of streams, wetlands or category one streams. Should the owner require these services, a separate proposal can be provided.

Based on this scope of work and time schedule, we propose a not to exceed fee of $71,600.00 to be billed monthly utilizing T&M’s current schedule of hourly billing rates. Scope of work shall be limited to those items specifically addressed in this proposal, should the need for additional services arise T&M will provide the Township with a separate proposal. On behalf of T&M Associates, I would like to
Le: Mr. Jim Herrman, P.E., Director of Community Development  
Howell Township  
Re: 2020 Capital Program #4 – NJAW Roadway Improvements  
Proposal for Professional Services  
Township of Howell, Monmouth County, NJ

Thank you and the Governing Body for the opportunity to submit this Proposal. We look forward to working with you and members of your staff in the future.

Very truly yours,  
T&M ASSOCIATES

CHARLES P. CUNLiffe, P.E., P.P., C.M.E.

CPC:jet

G:\Projects\HOWL\Proposals\16001\Final Proposal\JH_PJJ_2020 CP#4_NJAW Roadway Improvements (REV 1-15-20).doc
Mr.(s) ____ offered the following Resolution for adoption seconded by Mr.(s) _____.

Resolution No: R-20-87


WHEREAS, the Township received and opened bids for Contract #19-10 on June 6, 2019 for the CDBG Resurfacing of Casino Drive Project; and

WHEREAS, the Township Council of the Township of Howell contracted with Fiore Paving Co. Inc. – 4 Fiore Court, Oceanport, NJ 07757 for the Community Development Block Grant Resurfacing of Casino Drive in the amount of $242,055.30; and

WHEREAS, Fiore Paving Co. Inc. has submitted an NGM Insurance Company two (2) year Maintenance Bond No. S315806 in the amount of $27,464.67 for legal review and approval; and

WHEREAS, the Township has received two separate Community Development Block Grants for this project totaling $266,774.00; and

WHEREAS, the Township has received a request for final pay estimate #3 in the amount of $40,369.57 and close out change order #1 for an increase in the project cost, from the original contract amount of $242,055.30 to an adjusted total of $274,646.74 for a net increase of $32,591.44; and

WHEREAS, funds are available and have been certified to by the Township Chief Financial Officer for said change order; and

WHEREAS, the Township Manager and Director of Community Development have recommended acceptance of the project, acceptance of the closeout change order which is a net increase of $32,591.44, authorization of the final payment of $40,369.57 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 aforedescribed 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 are the following capital line items: #04-1407 entitled CDBG Grant, previously encumbered in the amount of $7,778.13 and now encumbering the remaining $24,718.70 from the same CDBG Grant account and #04-2150-55-01811-018 entitled 2018 Road Milling/Overlay in the amount of $7,872.74 due to Change Order #1 which is above and beyond the original encumbrance for a total final payment amount of $40,369.57.

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 January 21, 2020.

Allison Ciranni, Township Clerk
RESOLUTION

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL
AUTHORIZING EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE
BOROUGH OF FARMINGDALE FOR MUNICIPAL COURT SERVICES

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., (the “Act”) and N.J.S.A. 2B:12-1 pertaining to the operation of municipal courts permit units of local government to share services for a particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Township Howell and the Borough of Farmingdale are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the Township of Howell and the Borough of Farmingdale desire to enter into a shared services agreement for municipal court services; and

WHEREAS, representatives of Howell Township and the Borough of Farmingdale have negotiated a Shared Services Agreement, a copy of which is annexed hereto as Exhibit A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

WHEREAS, the Township Council of the Township of Howell finds it would be in the best interest of the residents and taxpayers of the Township to authorize the execution of the Shared Services Agreement with the Borough of Farmingdale in substantially the form annexed hereto and made a part hereof;

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

1. That the appropriate officials be and are hereby authorized to execute the Shared Services Agreement with the Borough of Farmingdale for municipal court services in substantially the form of the Shared Services Agreement annexed hereto and made a part hereof;
2. The Township Clerk is hereby directed to forward a duly certified copy of this Resolution to the Mayor and Borough Clerk of the Borough of Farmingdale; and

3. The Township Clerk is further directed to forward a duly certified copy of this Resolution and Executed Agreement to the Administrative Office of the Courts.

VOTE

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<tr>
<td>Mr. Bonevich</td>
<td>Ms. Richmond</td>
<td>Mr. Russo</td>
<td>Mrs. O’Donnell</td>
<td>Mayor Berger</td>
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This is to certify that the foregoing Resolution was adopted by the Township Council of the Township of Howell during a regular meeting held on January 21, 2020.

ALLISON CIRANNI, TOWNSHIP CLERK
Resolution No. R-20-89

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

APPLICANT: NJ AMERICAN WATER COMPANY
PROJECT: NJAW DSIC WATER MAIN REPLACEMENT 2020 CANDLEWOOD NEIGHBORHOOD – PHASE III DARIEN ROAD, BROOKHILL DRIVE, DARIEN CIRCLE, NOTTINGHAM DRIVE & PRINCETON DRIVE
ROAD OPENING PERMIT: RO-20-007

WHEREAS, the above-named applicant of the above-named project located on Darien Road, Brookhill Drive, Darien Circle, Nottingham Drive & Princeton Drive is posting as a condition of the Department of Community Development Approval, and in accordance with the requirements of the Township for the work in the Township Right-Of-Way a performance guarantee to ensure proper construction of real property improvements therein; and

WHEREAS, as a condition of the Howell Township Department of Community Development Approval, the above-named applicant 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 applicant with the Township of Howell in accordance with the aforementioned approval.

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

1. The Township Council hereby accepts the following performance guarantee posted by the applicant with the Township of Howell in accordance with the approval previously granted by the Howell Township Department of Community Development and the Division of Engineering’s Performance Guarantee Estimate dated January 9, 2020:
   a. Performance Bond No. K15491541 issued by Westchester Fire Insurance Company in the amount of $766,193.11, representing 98% of the Performance Guarantee
   b. Check No. 1800105026 in the amount of $15,636.59 representing 2% 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. NJ American Water Co., 1 Water Street, Camden, NJ 08102
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 January 21, 2020.

__________________________________
Allison Ciranni, Township Clerk
TOWNSHIP OF HOWELL

RESOLUTION COVER PAGE

REGULAR MEETING DATE

January 21, 2020

AGENDA ITEM NUMBER

9A.17
Resolution No. R-20-90

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

DEVELOPER: NJ AMERICAN WATER
PROJECT: HOWELL TO LAKEWOOD TRANSMISSION MAIN
PHASE II, ROUTE 3A-2, 3A-3 & 4
LANES MILL RD, LOCUST AVE, MAXIM-SOUTHARD RD, MAXIM RD, PREVENTORIUM RD
ROAD OPENING PERMIT: RO-20-011

WHEREAS, the above-named developer of the above-named land use project located on property known as Lanes Mill Rd., Locust Ave., Maxim-Southard Rd., Maxim Rd., and Preventorium Rd., is posting as a condition of the Department of Community Development Approval, and in accordance with the requirements of the Township for the work in the Township Right-Of-Way, a performance guarantee to ensure proper construction of real property improvements therein; and

WHEREAS, as a condition of the Department of Community Development 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 Department of Community Development 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 Department of Community Development and the Division of Engineering’s Performance Guarantee Estimate dated 12/17/19:

   a. Performance Bond No. K15491553 issued by Westchester Fire Insurance Company in the amount of $1,112,583.23, representing 90% of the Performance Guarantee.

   b. Check No. 1800105027 in the amount of $123,620.36 representing 10% 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. NJ American Water Co., 1 Water St., Camden, NJ 08102
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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 January 21, 2020.

Allison Ciranni, Township Clerk