

1. 03 03 2020 Preliminary Agenda Rev2

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4. 03 03 2020 Budget Ordinance

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[BUDGET.PDF](#)

# PRELIMINARY AGENDA

## HOWELL TOWNSHIP COUNCIL REGULAR MEETING AGENDA

TUESDAY, MARCH 3, 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 2/28/2020 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](http://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**
  - February 18, 2020 Regular Meeting + Executive Session + Public Release
6. **REPORTS OF TOWNSHIP OFFICIALS**
  - Presentation - U.S. Census Bureau
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-20-124     **9A.1 Authorize Refund of Coin Operated Amusement Games License Fee, J&J Model Car Race Place, \$60.00**  
**Explanatory Statement:**  
 This Resolution authorizes the refund of a Coin Operated Amusement Games License Fee to J&J Model Car Race Place in the amount of \$60.00.
- \*R-20-125     **9A.2 Authorize Refund of Overpaid Taxes, \$1,410.17**  
**Explanatory Statement:**  
 This Resolution authorizes a refund of Overpaid Taxes in the amount of \$1,410.17.
- \*R-20-126     **9A.3 Authorize Release of Maintenance Guarantee, Howell Specialty Housing, LP, Akabe Village, Block 143 Lots 51-53 (new Lot 51.01), Lavender Circle, Case No. BA-09-16, \$112,003.12**  
**Explanatory Statement:**  
 This Resolution authorizes the Release of a Maintenance Guarantee, Howell Specialty Housing, LP, Akabe Village, Block 143 Lots 51-53 (new Lot 51.01), Lavender Circle, Case No. BA-09-16, in the amount of \$112,003.12.
- \*R-20-127     **9A.4 Authorize Return of Unused Engineering Inspection Escrow Funds, Dynamic Wholesale Distributors, Warehouse, Block 38 Lot 5, Lakewood- Farmingdale Road, Case No. SP-870, \$3,512.75**  
**Explanatory Statement:**  
 This Resolution authorizes the Return of Unused Engineering Inspection Escrow Funds, Dynamic Wholesale Distributors, Warehouse, Block 38 Lot 5, Lakewood-Farmingdale Road, Case No. SP-870, in the amount of \$3,512.75.
- \*R-20-128     **9A.5 Authorize Return of Unused Sanitary Sewer Review Escrow Funds, Dynamic Wholesale Distributors, Sanitary Sewer Connection, Block 73 Lot 23, 5140 Route 9 South, Case No. APP-01-306, \$346.97**  
**Explanatory Statement:**  
 This Resolution authorizes the Return of Unused Sanitary Sewer Review Escrow Funds, Dynamic Wholesale Distributors, Sanitary Sewer Connection, Block 73 Lot 23, 5140 Route 9 South, Case No. APP-01-306, in the amount of \$346.97.
- \*R-20-129     **9A.6 Authorize Release of Roadway Guarantee and Vacation Escrow, Desai Development Corp, Desai Estates/Majestic Oaks, Block 175 Lots 46, 46.01, 47 & 48, Lions Court, Case No. SD-2420**  
**Explanatory Statement:**  
 This Resolution authorizes the Release of Roadway Guarantee and Vacation Escrow, Desai Development Corp, Desai Estates/Majestic Oaks, Block 175 Lots 46, 46.01, 47 & 48, Lions Court, Case No. SD-2420.

- \*R-20-130      **9A.7 Authorize Return of Driveway and/or Stabilization Guarantees, Four Seasons at Monmouth Woods, K. Hovnanian Holdings NJ, LLC, Case No. SD-2950, \$28,500.00**  
**Explanatory Statement:**  
This Resolution authorizes the Return of Driveway and/or Stabilization Guarantees, Four Seasons at Monmouth Woods, K. Hovnanian Holdings NJ, LLC, Case No. SD-2950, in the amount of \$28,500.00.
- \*R-20-131      **9A.8 Authorize Return of Unused Engineering Inspection Escrow Funds, R. DeVirgilio, Inc., DeVirgilio Subdivision, Block 79.09 Lot 70 (new Lots 70.01 & 70.02), Case No. SD-2918, \$147.15**  
**Explanatory Statement:**  
This Resolution authorizes the Return of Unused Engineering Inspection Escrow Funds, R. DeVirgilio, Inc., DeVirgilio Subdivision, Block 79.09 Lot 70 (new Lots 70.01 & 70.02), Case No. SD-2918, in the amount of \$147.15.
- \*R-20-132      **9A.9 Authorize Award of Professional Services Contract, Kaplan & Bookbinder, Conflict/Alternate Municipal Public Defender, for the Year 2020**  
**Explanatory Statement:**  
This Resolution authorizes the Award of a Professional Services Contract to Kaplan & Bookbinder as Conflict/Alternate Municipal Public Defender for the Year 2020.
- \*R-20-133      **9A.10 Authorize Award of Professional Services Contract, Coletta Commercial Realty, Real Estate Broker Services, for the Year 2020**  
**Explanatory Statement:**  
This Resolution authorizes the Award of a Professional Services Contract to Coletta Commercial Realty for Real Estate Broker Services for the Year 2020.
- \*R-20-134      **9A.11 Authorize Award of Professional Services Contract, FSD Enterprises, Wireless Telecommunications Consultant, for the Year 2020**  
**Explanatory Statement:**  
This Resolution authorizes the Award of a Professional Services Contract to FSD Enterprises as Wireless Telecommunications Consultant for the Year 2020.
- \*R-20-135      **9A.12 Authorize Payment of Lien Interest, \$16,000.73**  
**Explanatory Statement:**  
This Resolution authorizes Payment of Lien Interest, in the amount of \$16,000.73.

**9B MOTIONS**

- \* 9B.1 2020 Renewal, Coin Operated Amusement Games License, J&J Model Car Race Place, 1151 Route 33
- \* 9B.2 2020 Renewal, Coin Operated Amusement Games License, Side Pocket Billiards, 4308 Route 9 South
- \* 9B.3 2020 Renewal, Second Hand Dealer License, Lila's ALD 14K Gold, 1350 Highway 33
- \* 9B.4 2020 Renewal, Massage Business/Establishment, Hand and Stone Massage & Facial Spa, 4817 US Hwy. 9
- 9B.5 Appoint Member to Municipal Green Team, 1 Year Unexpired Term Expiring 12/31/20  
*Township Council Appointment*
- 9B.6 Accept Resignation of Planning Board Member Paul Schneider and Appoint Class IV Member, Unexpired 4 Year Term Expiring 12/31/21  
*Township Council Appointment*

**10. PUBLIC HEARINGS ON ORDINANCES**

None

**11. INTRODUCTION OF ORDINANCES**

- O-20-5 11.1 Ordinance Amending Chapter 139 Fees, Article XVII Land Use, Section 55, Annual Landlord Registration and Registration for Abandoned Residential Property  
*(Introduction on March 3, 2020)*  
*(Public Hearing & Adoption on March 24, 2020)*  
**Explanatory Statement:**  
This Ordinance increases application fees associated with real property mortgage applications to be more consistent with fees charged by surrounding areas.

## 2020 MUNICIPAL BUDGET

Ordinance  
O-20-6

### **Exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank**

*(Introduction on March 3, 2020)*

*(Public Hearing & Adoption on April 7, 2020)*

#### **Explanatory Statement:**

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

Resolution  
R-20-

### **Introduction of the 2020 Municipal Budget**

#### **Explanatory Statement:**

This Resolution authorizes the Introduction of the 2019 Municipal Budget.

*Introduction on March 3, 2020*

*Public Hearing and Adoption on April 7, 2020*

**12. UNFINISHED BUSINESS**

**13. INFORMATION**

**14. MEETING DATES:**

**Regular Meeting**

**- Tuesday, March 24, 2020**

*Executive Session 6:30 P.M.*

*Regular Session 7:30 P.M.*

**15. ADJOURNMENT 11:00 PM**

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.1

**R-20-124**

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

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL  
AUTHORIZING A REFUND OF COIN OPERATED  
AMUSEMENT GAMES LICENSE FEE**

**WHEREAS**, J&J Model Car Race Place, Hwy. 33, Farmingdale, NJ, 07727 obtained a Coin Operated Amusement Games License and Paid A Fee Of \$60.00; and

**WHEREAS**, J&J Model Car Race Place has requested a partial refund of said Coin Operated Amusement Games License for their renewal/annual township license, due to overpaying for 2 coin games at the time of license application; 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 \$60.00 be authorized and paid to J&J Model Car Race Place, Hwy. 33, Farmingdale, NJ 07727.

**BE IT FURTHER RESOLVED** that copies of this Resolution be forwarded to the Chief Financial Officer and to J&J Model Car Race Place.

**VOTE:                    AYES    NAYS    ABSTAIN    ABSENT    DISQUALIFY**

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 on March 3, 2020

\_\_\_\_\_  
Allison Ciranni, Township Clerk



**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.2

R-20-125

RESOLUTION

WHEREAS, the following taxpayers have overpaid their taxes and are entitled to a refund,

NOW THEREFORE, BE IT RESOLVED on this 3rd day of March, 2020, by the Township Council of the Township of Howell, the County of Monmouth, that the Township Treasurer be and hereby is authorized to draw a check to the following Taxpayer and Sewer Ratepayer in the amount stated, and that the Tax Collector is charged with the duty of seeing that said refunds are paid to said persons.

<u>Block</u>	<u>Lot</u>	<u>Qualifier</u>	<u>Payee</u>	<u>Reason</u>	<u>Refund</u>
143.02	50.04	C1000	Lereta Tax Services	Overpayment – Exempt Vet	\$1,410.17

**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 Howell Township Council during a regular meeting held by that body on March 3, 2020.

\_\_\_\_\_  
ALLISON CIRANNI, TOWNSHIP CLERK

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.3

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

Resolution No. R-20-126

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

**DEVELOPER: HOWELL SPECIALTY HOUSING, LP**  
**PROJECT: AKABE VILLAGE**  
**BLOCK 143 LOTS 51-53 (NEW LOT 51.01)**  
**LAVENDER CIRCLE**  
**CASE NO.: BA-09-16**

**WHEREAS**, the above-named developer of the above-named land use development located at property known as block 143 lots 51-53 (new lot 51.01) posted a maintenance guarantee in the form of Maintenance Bond No. 39529 issued by Service Insurance Company in the amount of \$112,003.12; and

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

**WHEREAS**, the Engineering Division reviewed the site and determined by maintenance guarantee release report dated 2/13/2020 that said maintenance guarantee should be returned.

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

1. The Township Council of the Township of Howell hereby formally authorizes the return of the maintenance guarantee in the form of Maintenance Bond No. 39529 issued by Service Insurance Company in the amount of \$112,003.12 to the developer of the site.
2. Said release of the maintenance guarantee is specifically contingent upon the developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all charges as per Township Ordinance for the release of said maintenance guarantee.
3. Upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to the following:
  - a. Division of Engineering
  - b. Guarantees Coordinator
  - c. Chief Financial Officer
  - d. Howell Specialty Housing, LP, 1055 Saw Mill River Rd., Ardsley, NY 10502

**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 March 3, 2020.

\_\_\_\_\_  
**ALLISON CIRANNI, TOWNSHIP CLERK**

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.4

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

Resolution No. R-20-127

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING THE RETURN OF UNUSED ENGINEERING INSPECTION ESCROW FUNDS**

**DEVELOPER: DYNAMIC WHOLESALE DISTRIBUTORS**  
**PROJECT: WAREHOUSE**  
**BLOCK 38 LOT 5**  
**LAKWOOD-FARMINGDALE ROAD**  
**CASE NO.: SP-870**

**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, engineering inspection escrow funds for professional services to assure proper inspections of improvements being constructed by the developer in relation to said development; and

**WHEREAS**, this project has been completed and released from the maintenance guarantee; and

**WHEREAS**, the Division of Engineering recommends the return of unused engineering inspection escrow funds in the amount of \$3,512.75.

**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 unused engineering inspection escrow funds in the amount of \$3,512.75, plus interest if any, said funds to be returned from escrow account E-36-00-00870-008.
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. Dynamic Wholesale Distributors, 1179 Lakewood-Farmingdale Rd., Howell, NJ 07731

**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 March 3, 2020.

\_\_\_\_\_  
**ALLISON CIRANNI, TOWNSHIP CLERK**

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.5

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

Resolution No. R-20-128

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING THE RETURN OF UNUSED SANITARY SEWER REVIEW ESCROW FUNDS**

**DEVELOPER: DYNAMIC WHOLESALE DISTRIBUTORS**  
**PROJECT: SANITARY SEWER CONNECTION**  
**BLOCK 73 LOT 23**  
**5140 ROUTE 9 SOUTH**  
**CASE NO.: APP-01-306**

**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, sanitary sewer review escrow funds for professional services to insure proper sanitary sewer reviews; and

**WHEREAS**, the sanitary sewer reviews have been completed and the developer has requested the escrow account be closed; and

**WHEREAS**, the Division of Engineering recommends the return of the unused sanitary sewer review escrow funds in the amount of \$346.97.

**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 sanitary sewer review escrow funds in the amount of \$346.97, plus interest if any, said funds to be returned to the developer from account E-38-00-01306-006.
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. Dynamic Wholesale Distributors, 1179 Lakewood-Farmingdale Rd, Howell, NJ 07731

**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 March 3, 2020.

\_\_\_\_\_  
**ALLISON CIRANNI, TOWNSHIP CLERK**



**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.6

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

Resolution No. R-20-129

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING  
RELEASE OF THE ROADWAY GUARANTEE & VACATION ESCROW**

**DEVELOPER: DESAI DEVELOPMENT CORP**  
**PROJECT: DESAI ESTATES/MAJESTIC OAKS**  
**BLOCK 175 LOTS 46, 46.01, 47 & 48**  
**LIONS COURT**  
**CASE NO.: SD-2420**

**WHEREAS**, the above-named developer of the above-named land use development located at property known as block 175 lots 46, 46.01, 47 & 48 posted a Roadway Guarantee and vacation escrow funds for the project; and

**WHEREAS**, said developer requested the return of said Roadway guarantee and any unused vacation escrow funds; and

**WHEREAS**, the Division of Engineering recommends the release of the Roadway Guarantee, which was posted as all cash in the amount of \$5,000.00, and the return of the unused vacation escrow funds in the amount of \$500.00.

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

1. That the Township Finance Office be and is hereby authorized to return the Roadway Guarantee in the form of all cash in the amount of \$5,000.00, plus interest if any, to the developer from escrow account E-37-00-02420-019.
2. That the Township Finance Office be and is hereby authorized to return to the developer the unused vacation escrow funds in the amount of \$500.00, plus interest if any, said funds to be returned to the developer from escrow account E-37-00-02420-024.
3. Upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to the following:
  - a. Division of Engineering
  - b. Guarantees Coordinator
  - c. Chief Financial Officer
  - d. Desai Development Corp, 190 Ellisdale Road, Allentown, NJ 08501

**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 March 3, 2020.

\_\_\_\_\_  
**ALLISON CIRANNI, TOWNSHIP CLERK**

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.7

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

Resolution No. R-20-130

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING THE RETURN OF DRIVEWAY AND/OR STABILIZATION GUARANTEES:**

**PROJECT: FOUR SEASONS AT MONMOUTH WOODS  
DEVELOPER: K. HOVNANIAN HOLDINGS NJ, LLC  
CASE NO.: SD-2950**

**WHEREAS**, the above-named developer of the above-named land use development, in order to secure a recommendation from the Engineering Division for (10) ten Certificates of Occupancy, posted certain guarantees to insure the completion of driveways and/or stabilization; and

**WHEREAS**, the developer completed the driveways and/or stabilization and they were inspected by the Engineering Division; and

**WHEREAS**, by inspection report dated 2/24/2020, the Engineering Division recommends the return of the guarantee in the amount of \$28,500.00.

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

1. That the Township Finance Office be and is hereby authorized to return to the developer the guarantee in the amount of \$28,500.00, plus interest if any, said funds to be returned to the developer from the developer’s escrow account E-37-00-32950-021.
2. A certified copy of this Resolution shall be provided by the Township Clerk to each of the following:
  - a. Engineering Division
  - b. Township Treasurer
  - c. Guarantees Coordinator
  - d. K. Hovnanian Holdings NJ, LLC, 110 Fieldcrest Ave, 5<sup>th</sup> Floor, Edison, NJ 08837

<b>VOTE</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>DISQUALIFY</b>
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**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 March 3, 2020.

\_\_\_\_\_  
**ALLISON CIRANNI, TOWNSHIP CLERK**

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.8

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

Resolution No. R-20-131

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING THE RETURN OF UNUSED ENGINEERING ESCROW FUNDS**

**DEVELOPER: R. DEVIRGILIO, INC.**  
**PROJECT: DEVIRGILIO SUBDIVISION**  
**BLOCK 79.09 LOT 70 (NEW LOTS 70.01 & 70.02)**  
**CASE NO.: SD-2918**

**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, engineering inspection escrow funds for professional services to assure proper inspections of improvements being constructed by the developer in relation to said development; and

**WHEREAS**, this project has been completed and released from the maintenance guarantees and the developer has requested the return of any unused escrow funds; and

**WHEREAS**, the Division of Engineering recommends the return of the unused engineering inspection escrow funds in the amount of \$147.15.

**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 unused engineering inspection escrow funds in the amount of \$147.15, plus interest if any, said funds to be returned from escrow account E-36-00-12918-008.
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. R. DeVirgilio, Inc., 39 Wyckoff Ave., Manasquan, NJ 08736

**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 March 3, 2020.

\_\_\_\_\_  
**ALLISON CIRANNI, TOWNSHIP CLERK**

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.9

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

Resolution No. R-20-132

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL  
APPOINTING CONFLICTS/ALTERNATE MUNICIPAL PUBLIC DEFENDER FOR  
THE YEAR 2020**

**WHEREAS**, there exists a need for services of a *Conflicts/Alternate Municipal Public Defender* for the Township of Howell for the year 2020 in accordance with the Township Ordinance and the laws and regulations of the State of New Jersey regarding same; and

**WHEREAS**, the Township of Howell has solicited such professional services through a fair and open process as provided for and defined in accordance with N.J.S.A. 19:44A-20.4, et seq. and as provided in Howell Township Code Section 18-2, subject to the provisions of the Local Public Contracts Law as set forth in N.J.S.A. 40A:11-1, et seq., regarding professional services; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the 2020 temporary budget.

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

1. The firm of Kaplan & Bookbinder, 2586 Hwy. 9 South, Howell, NJ 07731 is hereby named as Conflicts/Alternate Municipal Public Defender for the Township of Howell for the year 2020.

2. The Mayor and Clerk are hereby authorized and directed to engage the services of Kaplan & Bookbinder, 2586 Hwy. 9 South, Howell, NJ 07731 as Conflicts/Alternate Municipal Public Defender and for the Township of Howell and to execute a contract according to law and in accordance with this resolution. A copy of said contract shall be filed with the Clerk of the Township and shall be available for public inspection.

3. The Conflicts/Alternate Municipal Public Defender will be paid \$200 per case (not for each court appearance) payable by the Township of Howell. That the Township shall fund said award through its 2020 budget, Account No. 01-2010-25-02751-102. No amount of any contract shall be chargeable until certification of available funds are made and upon receipt of a properly executed Purchase Order pursuant to the rules of the Local Finance Board of the State of New Jersey. You may not exceed the amount of the issued purchase order. Approval of requests for additional funds will be evidenced by an additional purchase order.



4. This appointment is being made in accordance with the Local Public Contracts Law and the Howell Township Ordinance requiring solicitation of quotes for professional services.

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/QPA, Human Resources, Payroll, and Kaplan & Bookbinder, 2586 Hwy. 9 South, Howell, NJ 07731.

<b>VOTE</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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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 during a public business meeting held on March 3, 2020.

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ALLISON CIRANNI, TOWNSHIP CLERK

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.10

Mr(s). offered the following Resolution and moved for its adoption seconded by Mr(s).

Resolution No. R-20-133

### **RESOLUTION**

#### **RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL AUTHORIZING THE APPOINTMENT OF REAL ESTATE BROKER SERVICES FOR THE YEAR 2020**

**WHEREAS**, there exists a need for *Real Estate Broker Services* for the Township of Howell for the year 2020; and

**WHEREAS**, the Township of Howell has solicited such professional services through a fair and open process as provided for and defined in accordance with N.J.S.A. 19:44A-20.4, et seq. and as provided in Howell Township Code Section 18-2, subject to the provisions of the Local Public Contracts Law as set forth in N.J.S.A. 40A:11-1, et seq., regarding professional services; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the 2020 temporary budget.

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

1. The firm of Coletta Commercial Realty LLC, 302 Hawthorne Avenue, Suite 10, Point Pleasant Beach, NJ 08742 is hereby designated as Real Estate Broker Services for the Township of Howell for the year 2020;

2. The Mayor and Clerk are hereby authorized and directed to engage the services of Coletta Commercial Realty LLC, 302 Hawthorne Avenue, Suite 10, Point Pleasant Beach, NJ 08742 as Real Estate Broker Services for the Township of Howell and to execute a contract in accordance with this resolution. A copy of said contract shall be filed with the Clerk of the Township and shall be available for public inspection.

3. That the Township shall fund said award through its 2020 budget, Account No. 01-2010-20-01652-415. No amount of any contract shall be chargeable until certification of available funds are made and upon receipt of a properly executed Purchase Order pursuant to the rules of the Local Finance Board of the State of New Jersey. You may not exceed the amount of the issued purchase order. Approval of requests for additional funds will be evidenced by an additional purchase order.

4. This appointment is made in accordance with the Local Public Contracts Law and the fair and open process as permitted by State Law and pursuant to Howell Township Ordinances.

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/QPA and Coletta Commercial Realty LLC, 302 Hawthorne Avenue, Suite 10, Point Pleasant Beach, NJ 08742.

**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 during a public business meeting held on March 3, 2020.

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ALLISON CIRANNI, TOWNSHIP CLERK

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.11

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

Resolution No. R-20-134

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL  
AUTHORIZING THE APPOINTMENT OF A WIRELESS TELECOMMUNICATIONS  
CONSULTANT FOR THE YEAR 2020**

**WHEREAS**, there exists a need for a *Wireless Telecommunications Consultant* for the Township of Howell for the year 2020; and

**WHEREAS**, the Township of Howell has solicited such professional services through a fair and open process as provided for and defined in accordance with N.J.S.A. 19:44A-20.4, et seq. and as provided in Howell Township Code Section 18-2, subject to the provisions of the Local Public Contracts Law as set forth in N.J.S.A. 40A:11-1, et seq., regarding professional services; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the 2020 temporary budget.

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

1. The firm of FSD Enterprises, 65 Mechanic Street, Suite 201, Red Bank, NJ 07701 is hereby named as Wireless Telecommunications Consultant for the Township of Howell for the year 2020.

2. The Mayor and Clerk are hereby authorized and directed to engage the services of FSD Enterprises, 65 Mechanic Street, Suite 201, Red Bank, NJ 07701 as Wireless Telecommunications Consultant for the Township of Howell and to execute a contract according to law and in accordance with this resolution. A copy of said contract shall be filed with the Clerk of the Township and shall be available for public inspection.

3. That the Township shall fund said award through its 2020 budget. No amount of any contract shall be chargeable until certification of available funds are made and upon receipt of a properly executed Purchase Order pursuant to the rules of the Local Finance Board of the State of New Jersey. You may not exceed the amount of the issued purchase order. Approval of requests for additional funds will be evidenced by an additional purchase order.

4. This appointment is being made in accordance with the Local Public Contracts Law and the Howell Township Ordinance requiring solicitation of quotes for professional services.

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/QPA and FSD Enterprises, 65 Mechanic Street, Suite 201, Red Bank, NJ 07701.

<b>VOTE</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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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 during a public business meeting held on March 3, 2020.

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ALLISON CIRANNI, TOWNSHIP CLERK

**TOWNSHIP OF HOWELL**

**RESOLUTION COVER PAGE**

**REGULAR MEETING DATE**

March 3, 2020

**AGENDA ITEM NUMBER**

9A.12



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

Resolution No. R-20-135

**RESOLUTION**

**WHEREAS**, during the course of his duties, Tax and Utility Collector Albert S. Jardine, CTA uncovered a file in his office which contained inside a redemption check forwarded by a party on, whose property a tax sale certificate had been sold, to the holder of the certificate; and

**WHEREAS**, the holder of the certificate at the time refused the payment because it was not for the full amount necessary to redeem the property; and

**WHEREAS**, the predecessor Tax and Utility did not return the check to the drawing party and as a result interest continued to accrue on the redemption amount; and w

**WHEREAS**, the property owner has once again redeemed the tax sale certificate; and

**WHEREAS**, the Township is contributing a portion of the interest that accrued after the check was not returned to the property owner; and

**NOW THEREFORE, BE IT RESOLVED** on this 3rd day of March, 2020, by the Township Council of the Township of Howell, the County of Monmouth, that the Township Treasurer be and hereby is authorized to transfer to the Township Lien Trust Account the amount of \$16,000.73, and that the Tax Collector is charged with the duty of seeing that said amount is paid to the proper party.

**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 Howell Township Council during a regular meeting held by that body on March 3, 2020.

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ALLISON CIRANNI, TOWNSHIP CLERK

**TOWNSHIP OF HOWELL**

**ORDINANCE COVER PAGE**

Ordinance No. O-20-5

**INTRODUCTION**

March 3, 2020

**PUBLIC HEARING & ADOPTION**

March 24, 2020

**AGENDA ITEM NUMBER**

11.1

**ORDINANCE NO. O-20-5**

**AN ORDINANCE AMENDING CHAPTER 139 FEES, ARTICLE XVII LAND USE, SECTION 55, ANNUAL LANDLORD REGISTRATION AND REGISTRATION FOR ABANDONED RESIDENTIAL PROPERTY OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOWELL**

**WHEREAS**, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

**WHEREAS**, the Township of Howell wishes to amend Chapter 139 Fees, Article XVII Land Use, Section 55, Annual Landlord Registration and Registration for Abandoned Residential Property of the Revised General Ordinances of the Township of Howell;

**BE IT HEREBY ORDAINED** by the Township Council of the Township of Howell that Chapter 139 Fees, Article XVII Land Use, Section 55, Annual Landlord Registration and Registration for Abandoned Residential Property of the Revised General Ordinances of the Township of Howell, is hereby amended and supplemented and shall read as follows:

**NOTE:** Chapter 139 Fees, Article XVII Land Use, Section 55, Annual Landlord Registration and Registration for Abandoned Residential Property that are to be amended are set forth below. All additions are shown in **bold italics with underlines**. All deletions are shown in **~~bold italics with strikeouts~~**. All other sections will remain unchanged.

**CHAPTER 139-55 ANNUAL LANDLORD REGISTRATION AND REGISTRATION FOR ABANDONED RESIDENTIAL PROPERTY REAL PROPERTY MORTGAGE**

A. Landlord registration fees shall be as follows:

1. Annual registration: \$100.

B. Registration for ~~abandoned residential property~~ **real property mortgage**:

1. Initial fee: ~~\$250.~~ **\$500**

2. First renewal: ~~\$500.~~ **\$1,000**

3. Second renewal: ~~\$700.~~ **\$2,000**

4. Subsequent renewal: ~~\$1,000.~~ **\$3,000**

C. All registration fees shall accompany this registration form. The fee shall be valid from one year of the date of registration. Subsequent registration and accompanying fees are due annually on the anniversary date of the initial registration.

**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 March 3, 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 March 24, 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.

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Allison Ciranni, Municipal Clerk

**EXPLANATORY STATEMENT:** An Ordinance by the Township Council of the Township of Howell Chapter 139 Fees, Article XVII Land Use, Section 55, Annual Landlord Registration and Registration for Abandoned Residential Property of the Revised General Ordinances of the Township of Howell to increase application fees associated with real property mortgage applications to be more consistent with fees charged by surrounding areas.

**TOWNSHIP OF HOWELL**

**ORDINANCE COVER PAGE**

Ordinance No. O-20-6

**INTRODUCTION**

March 3, 2020

**PUBLIC HEARING & ADOPTION**

April 7, 2020

**AGENDA ITEM NUMBER**

2020 BUDGET

TOWNSHIP COUNCIL MEETING DATE: 03/03/2020

ORDINANCE NUMBER: O-20-6

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

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

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

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

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

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

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

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

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

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

**NOTICE**

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

ALLISON CIRANNI  
Township Clerk