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3. 03 03 2020 Ordinance Introduction

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[03 03 2020 ORDINANCE INTRODUCTION.PDF](#)

4. 03 03 2020 Budget Ordinance

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[BUDGET.PDF](#)

FINAL 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 3/2/2020 4:00 PM)

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

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

1. **CALL TO ORDER BY THE MAYOR**
2. **OPENING STATEMENT AND ROLL CALL**
3. **EXECUTIVE SESSION**
4. **PLEDGE OF ALLEGIANCE TO THE FLAG**
5. **ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS**
 - 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, Pet Assure 46 LLC, \$16,000.73**
Explanatory Statement:
This Resolution authorizes Payment of Lien Interest, Pet Assure 46 LLC, 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

PRELIMINARY AGENDA

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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

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13. INFORMATION

14. MEETING DATES:

Regular Meeting

- Tuesday, March 24, 2020

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Regular Session 7:30 P.M.

15. ADJOURNMENT 11:00 PM

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.

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