

Resolution No. 12042019-01

RESOLUTION AUTHORIZING CAPITAL PROJECTS PURSUANT TO N.J.S.A. 40A:14-84

WHEREAS, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey (hereinafter referred to as the "Board"), finds it necessary, in order to fulfill its mandated charge of fire prevention and fire protection within the District, to undertake certain capital projects, namely, fire apparatus/pumper inclusive of equipment and reserve for future capital outlay; and

WHEREAS, prior to inclusion of any capital project(s) in the Board's annual budget, N.J.S.A. 40A:14-84 and the Department of Community Affairs, Division of Local Government Services, mandate that such project(s) must be approved by the legal voters within the District; and

WHEREAS, N.J.S.A. 40A:14-84 permits a Board to obtain authorization from the legal voters for said capital project(s) and the amount of money to be raised for same by posting and publishing notice of a special meeting called for the purpose thereof; and

WHEREAS, pursuant to said statute, the date, time, place and object of the special meeting were posted at five (5) public places within the District (See Schedule A attached) and published in the Asbury Park Press on November 17, 2019, both at least ten (10) days prior to said special meeting; and

WHEREAS, a special meeting was held on December 4, 2019, between the hours of 6:00 p.m. and 9:00 p.m., wherein the above set forth capital project(s) and funding for same were discussed; and

WHEREAS, after discussion by the Board, the special meeting was open to the public for comment; and

WHEREAS, subsequent to same, it was announced that all legal voters within the District would vote on the capital project(s) and funding therefor; and

WHEREAS, - 18 - legal voters voted in the affirmative and - 2 - voted in the negative on the question of the abovementioned capital project entitled fire apparatus/pumper inclusive of equipment and the funding therefor (See Voting List Schedule B attached); and

WHEREAS, - 19 - legal voters voted in the affirmative and - 1 - voted in the negative on the question of the abovementioned capital project entitled reserve for future capital outlay and the funding therefor (See Voting List Schedule B attached).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, that it shall include in its 2020 annual budget for approval and adoption by the Department of Community Affairs, Division of Local Government Services, and the legal voters within the District at the annual election on February 15, 2020, the following capital projects in an amount not to exceed that which is set forth:

Fire Apparatus/Pumper Inclusive of Equipment	\$715,000.00
Reserve for Future Capital Outlay	\$200,000.00
TOTAL	\$915,000.00; and

BE IT FURTHER RESOLVED, that the acquisition and/or upgrades of said equipment, apparatus and facilities and sites be through the competitive public bidding and/or quotation process or through the Division of Purchase and Property in the Department of Treasury or other procedure established by law; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the District Auditor, Robert D. Elliott, C.P.A., of the firm Mohel, Elliott, Bauer & Gass, for use in the preparation of the 2019 annual and subsequent audits.

CERTIFICATION

I, MICHAEL L. ACAMPORA, Clerk of the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true conformed and compared copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the 4th day of December, 2019.

I do further certify that the said Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, is composed of - 5 - members, and that - 5 - members were present and - 5 - members voted affirmatively for the adoption of the Resolution and - 0 - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, on this 4th day of December, 2019.



MICHAEL L. ACAMPORA, CLERK
Board of Fire Commissioners
Fire District No. 4
Township of Howell

SCHEDULE A

1. Township of Howell Municipal Building, 4567 Route 9 North, Howell, New Jersey
2. Manasquan Bank, 167 Newtons Corner Road, Howell, New Jersey
3. Amboy Bank, 129 Newtons Corner Road, Howell, New Jersey
4. WaWa, 157 Newtons Corner Road, Howell, New Jersey
5. Ramtown Pharmacy, 145 Newtons Corner Road, Howell, New Jersey