

# Board of Fire Commissioners

District #5

PO Box 527

Howell, NJ 07731

4-27-21

The reorganization meeting of the Board of Fire Commissioners, District #5 was called to order at 20:00 by Chairman K Harper at the Freewood Acres Fire Company, 17 East 5<sup>th</sup> Street. Howell, NJ 07731. In compliance with the Open Public Meeting Act of New Jersey. Adequate notice of this meeting was provided to the Asbury Park Press, Tri-town News and the township of Howell.

Chairman K Harper led the pledge of allegiance and observed a moment of silence.

Roll call taken with the following present; Z Arbakow, J Donahue, R Donahue, J Harper, K Harper

Motion by R Donahue to appoint K Harper as Chairman. Seconded by Z Arbakow. All in favor.

Motion by J Donahue to appoint J Harper as Vice-Chairman. Seconded by K Harper. All in favor.

Motion by K Harper to appoint R Donahue as Clerk. Seconded by J Donahue. All in favor.

Motion by J Harper to appoint J Donahue as Treasurer. Seconded by Z Arbakow. All in favor.

Motion by R Donahue to appoint Z Arbakow as Commissioner at Large. Seconded by K Harper. All in favor.

Motion by R Donahue to adopt Resolution 2021-1 Authorizing Regular Meeting Schedule. Seconded by Z Arbakow. All in favor.

Motion by J Donahue to adopt Resolution 2021-2 Authorizing Appointment of Attorney. Seconded by J Harper. All in Favor.

Motion by R Donahue to adopt Resolution 2021-3 Authorizing Appointment of Accountant. Seconded by J Donahue. All in favor.

Motion by R Donahue to adopt Resolution 2021-4 Authorizing Appointment of Auditor. Seconded by J Harper. All in favor.

Motion by R Donahue to adopt Resolution 2021-5 Adoption of Cash Management Plan. Seconded by J Donahue. All in favor.

Motion by R Donahue to adopt Resolution 2021-6 Designation of Official Newspaper for publications for the 2021-2022 Year. Seconded by J Harper. All in favor.

Motion by K Harper to adopt Resolution 2021-7 Authorizing Approval and Payments of Claims. Seconded by Z Arbakow. All in favor.

Motion by J Donahue to adopt Resolution 2021-8 Designating Surety Bonding for Commissioners. Seconded by K Harper. All in favor.

Motion by K Harper to approve the position of Engineer with the Stipend of \$2000.00. Seconded by J Harper. All in favor.

Motion by J Donahue to authorize the salaries of \$350.00 per meeting. Seconded by J Harper. All in favor.

Motion by J Harper to authorize the yearly stipend of \$4000.00 for the Clerk and Treasurer. Seconded by Z Arbakow. All in favor.

Motion by Z Arbakow to authorize the position of Fire Official. Seconded by J Harper. All in favor.

With no further business before the board a Motion by K Harper to adjourn. Seconded by J Donahue. All in favor.

Meeting adjourned at 21:30

Respectfully submitted,

Robert M. Donahue

Clerk

# Board of Fire Commissioners

## District #5

PO Box 527

Howell, N.J. 07731

4-27-21

### District #5 Commissioners

Z Arbakow	expires March 2022	Commissioner at large
J Donahue	expires March 2023	Treasurer
R Donahue	expires March 2024	
J Harper	expires March 2023	
K Harper	expires March 2024	

Respectfully submitted,

Robert M Donahue

Clerk

THE COMMISSIONERS OF FIRE DISTRICT NO. 5  
IN THE TOWNSHIP OF Howell, COUNTY OF Monmouth

Resolution # 2021-1

Authorizing Regular Meeting Schedule  
for the 2021/2022 Year

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WHEREAS, Public Law 1975, Chapter 231, Section 13, requires a public body to post and maintain posted, to distribute to designated newspapers, and to further file with the Municipal Clerk for the purpose of public inspections, a schedule of the regular meetings of such public body to be held during the calendar year; and,

WHEREAS, such schedule of regular meetings is required to contain the location of each meeting, to the extent that it is known, and the time and date of each meeting; and,

WHEREAS, Public Law 1975, Chapter 231, Section 3-D, provides that where the annual notice or revisions thereof, in compliance with sections of the subject act, set forth the location, time and date of any meeting, no further action shall be required for such meeting.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. 5 in the Township of Howell, County of Mon, as follows:

(1) All regular meetings of the Commissioners shall take place on the Second Tuesday of every month at 8<sup>00</sup> p.m. with caucus meetings to be held at 8<sup>00</sup> p.m. at the Firewood Acres Firehouse, 17 EAST 5<sup>th</sup> STREET, Howell, New Jersey.

(List Dates of Meeting) ATTACHED

(2) A summary of this resolution shall be mailed to the Asbury Park Press and the Tri-Town News.

(3) A summary of this resolution shall be posted and shall be maintained on the official bulletin board of the Township of Howell, shall be posted on the official bulletin board of the Commissioners, and shall also be kept on file by the Municipal Clerk for purposes of public inspection.

THE COMMISSIONERS OF FIRE DISTRICT NO. 5  
IN THE TOWNSHIP OF Howell COUNTY OF Monmouth

Resolution # 2021-2

**Resolution Authorizing the Award of a Non Fair and Open Contract  
For Legal Services**

**WHEREAS**, the Fire District has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Fire District has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is for the year 2021/ 2022 and

**WHEREAS**, the Law Office of Richard M. Braslow has submitted a proposal indicating it will provide legal services pursuant to the proposal; and

**WHEREAS**, the Law Office of Richard M. Braslow has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Office of Richard M. Braslow has not made any reportable contributions to a political or candidate committee in the previous one year, and that the contract will prohibit the Law Office of Richard M. Braslow from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Fire District has determined that funds are available concerning the projected expenditures.

**NOW THEREFORE, BE IT RESOLVED**, that the Commissioners of Fire District No. 5 in the Township of Howell, County of Monmouth, authorized the Fire District to enter into a contract with the Law Office of Richard M. Braslow as described herein; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed with this resolution.

THE COMMISSIONERS OF FIRE DISTRICT NO. 5  
IN THE TOWNSHIP OF Howell COUNTY OF Monmouth

Resolution # 2021-3

Resolution Authorizing the Award of a Non Fair and Open Contract  
For Accounting Services

WHEREAS, the Fire District has a need to acquire accounting services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Fire District has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for the year 2021-2022; and

WHEREAS, BART & BART has submitted a proposal indicating it will provide accounting services pursuant to the proposal; and

WHEREAS, BART & BART has completed and submitted a Business Entity Disclosure Certification which certifies that BART & BART has not made any reportable contributions to a political or candidate committee in the previous one year, and that the contract will prohibit BART & BART from making any reportable contributions through the term of the contract; and

WHEREAS, the Fire District has determined that funds are available concerning the projected expenditures.

NOW THEREFORE, BE IT RESOLVED, that the Commissioners of Fire District No. 5 in the Township of Howell, County of Monmouth, authorized the Fire District to enter into a contract with BART & BART as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed with this resolution.

THE COMMISSIONERS OF FIRE DISTRICT NO. 5  
IN THE TOWNSHIP OF Howell, COUNTY OF Monmouth

Resolution # 2021 4

Authorizing Appointment of Auditor  
for the 2020-2021 Year

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WHEREAS, there exists a continuing need for certain auditing services to be provided to the Commissioners of Fire District No. 5 in the Township of Howell, County of Monmouth concerning various responsibilities undertaken by said Commissioners; and,

WHEREAS, the Commissioners are desirous of making an appointment to this position as referenced above for the 2021-2022 year; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, provides that a governing body may award a contract without public advertising for competitive bidding where the nature of said contract is in the form of a professional service; and,

WHEREAS, the subject resolution providing for the awarding of this contract relative to professional services, and the notice of award of said contract shall be made available for public inspection; and,

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), provides that a notice of the award of said contract be published in a newspaper, said advertisement stating the nature, duration and amount of the contract.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. 5 in the Township of Howell, County of Mon, as follows:

(1) BAT & BAT is hereby appointed to provide auditing services to the Commissioners together with assistance in preparation of the 2021 budget and for establishment and maintenance of the necessary documentation consistent with the requirements and the regulations of the Department of Community Affairs and with the New Jersey statutes. This appointment is made pursuant to the proposal as submitted and attached hereto.

(2) This resolution and the notice of award of contract shall be available for public inspection.

THE COMMISSIONERS OF FIRE DISTRICT NO. 5  
IN THE TOWNSHIP OF Hewell, COUNTY OF Monmouth

Resolution # 2021-5

Adoption of Cash Management Plan

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WHEREAS, the Local Finance Board has adopted rules and regulations which apply to municipal entities and the fire district is a municipal entity as defined in the rules and regulations as promulgated by the Local Finance Board; and,

WHEREAS, Subchapter 3, Section 5:31-3.1(a) provides that the governing body shall, by resolution passed by not less than a majority of the full membership, adopt a cash management plan, which shall include the designation of a depository, the State of New Jersey Cash Management Fund or a public depository or depositories.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. 5 in the Township of Hewell, County of Mon, as follows:

- (1) This resolution shall act as a formal adoption by the Commissioners of a cash management plan, which shall allow for official depositories of the Commissioners to be The State Cash Management Fund and/or Santander Bank and/or
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THE COMMISSIONERS OF FIRE DISTRICT NO. 5  
IN THE TOWNSHIP OF Howell, COUNTY OF Monmouth

Resolution # 2021-6

Designation of Official Newspapers for  
Publications for the 2021-2022 Year

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WHEREAS, the Commissioners of Fire District No. 5 in the Township of Howell, County of Mon, must, by statutory law, publish various items in order to comply with said requirements of statutory law; and

WHEREAS, the Commissioners are desirous of designating various newspapers as official newspapers in which the Commissioners may publish its various items during the 2020-2021 year.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. 5, in the Township of Howell, County of Mon, as follows:

(1) The official newspapers in which the Commissioners will publish all required notices or other items during the 2020-2021 year pursuant to New Jersey statutes shall be Ashbury Park Press and/or Tri-Town News, unless said New Jersey statutory law otherwise mandates that a newspaper other than those as referenced herein be used for said publications.

THE COMMISSIONERS OF FIRE DISTRICT NO. 5  
IN THE TOWNSHIP OF Howell, COUNTY OF Monmouth

Resolution # 2021-7

**Authorizing Approval and Payment of Claims**

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WHEREAS, the Local Finance Board has adopted rules and regulations which apply to municipal entities, and the fire district is a municipal entity as defined in the rules and regulations as promulgated by the Local Finance Board; and

WHEREAS, Subchapter 4, Section 5:31-4.1(e) provides that payment of claims by the fire district shall be by check on the fire district and signed by the governing body chairman, the chief financial officer and countersigned by such other officer or officials as designated by resolution; and

WHEREAS, Subchapter 4, Section 5:31-4.2 further provides that the Commissioners, at their reorganizational meeting, designate, by resolution, the individuals whose signatures shall appear on checks drawn upon the treasury of the Commissioners; and

WHEREAS, Subchapter 4, Section 5:31-4.1(f) provides that the Commissioners shall, by resolution passed by not less than the majority of the full membership, further designate the manner in which the time in which salaries, wages or other compensation for services shall be paid.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. 5, in the Township of Howell, County of Mon, as follows:

- (1) The checks as issued by the Commissioners for payment of claims shall be signed by the President, Treasurer and countersigned by one other Commissioner in order that the Commissioners comply with the rules and regulations as promulgated by the Local Finance Board and as set forth herein.
- (2) No more than one stamp facsimile shall be used on any particular check in place of a handwritten signature.
- (3) The manner in which and the time in which compensation for services rendered by employees of the Commissioners shall be paid shall be in accordance with individual employment contracts. The Commissioners' salaries shall be paid as determined by the Commissioners.

THE COMMISSIONERS OF FIRE DISTRICT NO. 5  
IN THE TOWNSHIP OF Howell, COUNTY OF Monmouth

Resolution # 2021-8

**Designating Surety Bonding for Commissioners**

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WHEREAS, the Local Finance Board has adopted rules and regulations which apply to municipal entities, and the fire district is a municipal entity as defined in the rules and regulations as promulgated by the Local Finance Board; and

WHEREAS, Subchapter 6, Section 5:31-6.1 provides that the fire district shall, by resolution, designate employees and officials required to furnish surety bonds and determine minimum bonds for each such employee and official; and

WHEREAS, the Commissioners of Fire District No. 5 in the Township of Howell, County of Mon, deem it necessary to provide bonding for the Commissioners.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. 5 in the Township of Howell, County of Mon, as follows:

- (1) All Commissioners shall be bonded in the amount of approximately \$500,000.00

Robert M Donohue  
 Signature  
Robert M Donohue  
 Printed Name  
Clark  
 Title

Dated: 4-20-21

APPENDIX I

2021 Fire District Budget Election Results Certification  
 (FEBRUARY BOARD OF COMMISSIONER ELECTIONS)

Please include a copy of the Fire District Election Ballot.

Municipality:	<u>Howell</u>	Fire District #:	<u>5</u>
County:	<u>Monmouth</u>		

2021 ADOPTED BUDGET	
Amount to be Raised by Taxation	\$ <u>812,835.00</u>
Tax Rate Per Hundred	\$ <u>.0866</u>
Total Yes Votes	# <u>84</u>
Total No Votes	# <u>23</u>

OTHER REFERENDUM QUESTIONS

	Levy Cap Referendum	Release of Restricted Fund Balance	Initial LOSAP	CAPITAL PROJECTS* (N.J.S.A. 40A:14-85)	
				Capital #1 Description Project:	Capital #2 Description Project:
Amount	\$	\$	\$	\$	\$
Total Votes	#	#	#	#	#
Total "Yes" Votes	#	#	#	#	#
Total "No" Votes	#	#	#	#	#
% of Yes Votes	%	%	%	%	%

\*add additional columns as necessary

It is hereby certified that the above information complies with the requirements of law:

Signed Certification:	<u>Robert M Donohue</u>	Date:	<u>4-21-21</u>
Printed Name:	<u>Robert M Donohue</u>		
Title:	<u>Clark</u>		
Telephone:	<u>732-496-9901</u>	Fax:	<u>732-364-2175</u>
E-mail:	<u>L.Donohue@acj.com</u>		

# Official Provisional Ballot

Fire Election  
Tuesday, April 20, 2021  
County of Monmouth, New Jersey

## Township of Howell Fire District No. 5

### Instructions to the Voter:

1. To vote for any candidate whose name is printed on this ballot, fill in the oval to the right of the candidate's name (from this ○, to this ●). Do not vote for more than the number of candidates to be elected to each office.
  2. Use ONLY a pencil or ink pen (black or blue) to mark your ballot. Do not use red ink.
  3. To vote for a person whose name is not printed on this ballot, write the person's name on the blank line(s) (marked "write in") beside the proper title of office and fill in the oval to the right of the name (from this ○, to this ●).
  4. To vote in favor of a Question, fill in the oval to the right of the word "Yes". To vote against it, fill in the oval to the right of the word "No".
  5. Do not mark this ballot in any manner other than provided for and do not erase. If you spoil your ballot, or mark it in such a way that your intent is unclear, return it, and you will be provided with a fresh ballot.
  6. Fold and insert the completed ballot into the affidavit envelope, seal it, and deposit it in the orange provisional ballot bag.
- \*\* NOTE \*\*** Please be sure to complete and sign the affidavit.

202104061656

Office Title	Nomination by Petition	Personal Choice
For Members of the Board of Fire Commissioners Three Year Term Vote for Two	Robert M. DONAHUE ○	<u>                    </u> ○ <i>write in (and fill in oval)</i>
	Kenneth HARPER ○	<u>                    </u> ○ <i>write in (and fill in oval)</i>

### Public Question To Be Voted Upon

#### Budget Proposal

Shall the Commissioners operate for the fiscal year of 2021 with a budget of \$880,787.00 and with an amount to be raised by taxation of \$812,838.00?

Yes ○

No ○