

Resolution No. 2023-

RESOLUTION INTRODUCING AND APPROVING 2024 BUDGET
PURSUANT TO N.J.S.A. 40A:14-78.2 AND 78.3

WHEREAS, the annual budget for the Board of Fire Commissioners of Fire District No. 5, Township of Howell, County of Monmouth, State of New Jersey, for the fiscal year beginning January 1, 2024, and ending December 31, 2024, has been presented for introduction and approval before the Board of Fire Commissioners of Fire District No. 5, Township of Howell, at its statutorily noticed public meeting on December 12, 2023; and

WHEREAS, the proposed budget is in compliance with the Property Tax Levy Cap Law (N.J.S.A. 40A:4-45.44 et seq.); and

WHEREAS, the annual budget as presented for introduction and approval reflects Total Revenues of \$1,241,080.00 which includes the amount to be raised by taxation of \$882,577.00 and Total Appropriations of \$1,241,080.00; and

WHEREAS, the annual election shall be held on February 17, 2024, for the fiscal year beginning January 1, 2024, and ending December 31, 2024, to determine the amount of money to be raised by taxation for the ensuing year; and

WHEREAS, the amount to be raised by taxation to support the District budget shall be the amount to be certified to the tax assessor of the municipality to be assessed against the taxable property in the District if affirmatively adopted by a majority of the electorate voting at the election on February 17, 2024, pursuant to N.J.S.A. 40A:14-79. Such amount shall be equal to the amount of the total appropriations set forth in the budget minus the total amount of surplus utilized and miscellaneous revenues set forth in the proposed budget; and

WHEREAS, in calculating the amount to be raised by taxation, Fire District No. 5 has taken into account the assessed valuation of taxable property in Fire District No. 5 as certified by the Tax Assessor and Tax Collector of the Township of Howell pursuant to N.J.S.A. 40:4-45.44, et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 5, Township of Howell, County of Monmouth, State of New Jersey, at a statutorily noticed public meeting held on December 12, 2023, that the annual budget of the Board of Fire Commissioners of Fire District No. 5 for the fiscal year beginning January 1, 2024, and ending December 31, 2024, is hereby introduced and approved and shall constitute appropriations for the purposes stated and authorization of Total Revenues of \$1,241,080.00 which includes the amount to be raised by taxation of \$882,577.00 and Total Appropriations of \$1,241,080.00; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the annual budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Fire District No. 5's outstanding debt obligations, capital lease arrangements, service contracts and other pledged agreements; and

BE IT FURTHER RESOLVED, that the Board Clerk be authorized to forward the introduced and approved 2024 Fire District Budget to the Division of Local Government Services, Local Finance Board, along with supporting documents; and

BE IT FURTHER RESOLVED, that the Board of Fire Commissioners of Fire District No. 5 will consider the annual proposed budget for adoption on _____ at a meeting being held at _____ p.m. at Freewood Acres Firehouse, 17 East Fifth Street, Howell, New Jersey, after a statutorily noticed public hearing is held at said date, time and place; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the District Auditor, Michael R. Bart, C.P.A., of the firm of Bart & Bart, 104 Main Street, #2, Woodbridge, New Jersey 07095; 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.

CERTIFICATION

I, ROBERT M. DONAHUE, SR., Clerk of the Board of Fire Commissioners of Fire District No. 5, 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 12th day of December, 2023.

I do further certify that the said Board of Fire Commissioners of Fire District No. 5, Township of Howell, County of Monmouth, State of New Jersey, is composed of - 5 - members, and that - - members were present and - - members voted affirmatively for the adoption of the Resolution and - - 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. 5, Township of Howell, County of Monmouth, State of New Jersey, on this 12th day of December, 2023.

ROBERT M. DONAHUE, SR., CLERK
Board of Fire Commissioners
Fire District No. 5
Township of Howell

Resolution No. 2023-

RESOLUTION SETTING DATE, TIME AND PLACE OF THE ANNUAL FIRE DISTRICT ELECTION PURSUANT TO N.J.S.A. 40A:14-72(B)

WHEREAS, N.J.S.A. 40A:14-72(b) requires the Board of Fire Commissioners to set a date annually for the holding of the annual Fire District Election and to establish the time and place thereof; and

WHEREAS, in the past, the Board has held its annual election on the third Saturday in February as set forth in the statute between the hours of 2:00 p.m. and 9:00 p.m., or longer if necessary, at Freewood Acres Firehouse, 17 East Fifth Street, Howell, New Jersey; and

WHEREAS, the Board finds and determines that the prior arrangements for the annual election have been in the best interest of the District.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 5, Township of Howell, County of Monmouth, State of New Jersey, that it set the date of the annual election as February 17, 2024, between the hours of 2:00 p.m. and 9:00 p.m., or longer if necessary, to be held at Freewood Acres Firehouse, 17 East Fifth Street, Howell, New Jersey; and

BE IT FURTHER RESOLVED, that the Fire District administration take all necessary action to make arrangements for the appropriate voters' list, challengers, mail-in ballots, security and other necessary action to effectuate the within resolution; 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.


CERTIFICATION

I, ROBERT M. DONAHUE, SR., Clerk of the Board of Fire Commissioners of Fire District No. 5, 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 12th day of December, 2023.

I do further certify that the said Board of Fire Commissioners of Fire District No. 5, 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. 5, Township of Howell, County of Monmouth, State of New Jersey, on this 12th day of December, 2023.


ROBERT M. DONAHUE, SR., CLERK
Board of Fire Commissioners
Fire District No. 5
Township of Howell

AFFIDAVIT OF POSTING AND PUBLISHING NOTICE OF SPECIAL MEETING

I, the undersigned, hereby certify that a Special Meeting has been called by the Board of Fire Commissioners of Howell Township Fire District #5 scheduled for December 12, 2023 at 6:00 pm at Freewood Acres Fire House- 17 East 5th Street, Howell NJ.

I further certify that the District’s annual election for the Board of Fire Commissioners is held on the (check one):

 X third Saturday in February

 November general election

I further certify that on December 1, 2023, I posted notices in the 5 following locations pursuant to N.J.S.A. 40A:14-84 (the following are potential examples of five public places in the district):

- Township of Howell Municipal Building, 4567 Route 9 North, Howell, New Jersey
- Stewart’s Root Beer, 2999 US-9, Howell, New Jersey
- The Howell Corner Store, 2989 US-9, Howell, New Jersey
- Lino’s Pizza, 2969 Route 9 North, Howell, New Jersey
- Bagel Country, 2781 Route 9 North, Howell, New Jersey

I further certify that notice of the special meeting was published pursuant to N.J.S.A. 40A:14-84 on the following date(s) 11/28/23.*

I understand that I am subject to punishment pursuant to law if any of the above statements are willfully false.

Signature

Robert Donahue
Printed Name

Clerk
Title

Dated: 12/6/23

Please provide a copy of the notice that was posted, as well as proof of publication for the required newspaper notices. A separate certification is required to report the results of the special meeting.