

#2009-03

**CALENDAR YEAR 2009
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 percent unless authorized by ordinance to increase it to 3.5 percent 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 Borough Council of the Borough of Beachwood in the County of Ocean finds it advisable and necessary to increase its CY 2009 budget by up to 3.5 percent over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a one percent increase in the budget for said year, amounting to \$66,138.91 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized herein above 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 Borough Council of the Borough of Beachwood, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Borough of Beachwood shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by one percent, amounting to \$66,138.91, and that the CY 2009 municipal budget for the Borough of Beachwood be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized herein above 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.

This Ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable. Publication will be according to law.

PUBLIC NOTICE

Is provided that the Ordinance entitled herein receive first reading by title only at a Special meeting of the Mayor and Council of the Borough of Beachwood held on March 30, 2009.

FURTHER NOTICE is provided that said ordinance received final reading, public discussion and subsequent adoption by the Governing Body at a Regular Meeting held on the 15th day of April 2009.

Elizabeth A. Mastropasqua RMC
Municipal Clerk

Introduction: March 30, 2009
Public Hearing: April 15, 2009

Ronald W. Jones Jr.
Mayor

CERTIFICATION

I, the undersigned, duly appointed Municipal Clerk of the Borough of Beachwood certify the within to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Beachwood at a Regular Meeting held on the 15th day of April 2009.

Elizabeth A. Mastropasqua RMC
Municipal Clerk

ORDINANCE SUMMARY

2008 – Ordinance to exceed the municipal budget appropriation limits and to establish a cap bank

This ordinance authorizes the 2008 budget to increase up to 3.5 percent over the previous year's final appropriation's, subject to certain exceptions. It also authorized any amount not used as part of the final budget to be part of the next succeeding years budgets, re-establishing cap banking.

The public hearing on this ordinance will be held at the Borough Council meeting of, 2008. Prior to the public hearing date you may obtain a complete copy of this ordinance free of charge by calling the Township Clerk's Office at Borough of Beachwood (732) 286-6000 or coming to the Clerk's Office at the Beachwood Municipal Building.

Elizabeth A. Mastropasqua
Municipal Clerk
Beachwood Borough