

ORDINANCE #2011-01

CALENDAR YEAR 2011

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 2.0 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 2011 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 and half percent increase in the budget for said year, amounting to \$102,429.24 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 2011 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 and half percent, amounting to \$102,429.24, and that the CY 2011 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.

ORDINANCE SUMMARY

2011 – Ordinance to exceed the municipal budget appropriation limits and to establish a cap bank

This ordinance authorizes the 2011 budget to increase up to 3.5 percent over the previous year's final appropriations, subject to certain exceptions. It also authorized any amount not used as part of the final budget to be part of the next succeeding year's budgets, re-establishing cap banking.

The public hearing on this ordinance will be held at the Borough Council meeting of, 2011. 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.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Beachwood, in the County of Ocean, held on the 7th day of April, 2011 and was considered for second reading and final passage at a regular meeting of said governing body held on the 20th day of April, 2011 at which time and place this ordinance was adopted.

ELIZABETH A. MASTROPASQUA RMC
Municipal Clerk

Mayor Jones presented a veto of the ordinance on

BOROUGH OF BEACH WOOD
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April 26, 2011

Bette Mastropasqua, Clerk

RE: VETO CAP WAIVER

ORDINANCE 2011

Dear Madam Clerk:

In accordance with 40A:60-5 (d) I have ten days after receiving delivery of an ordinance from you to act on said ordinance (see attached).

I am VETOING the action of the Beachwood Borough Council for the following reasons;

1. I oppose the cap waiver as noted previously by my personal contract supporting Governor Christies reforms and tool kit.
2. Additionally, as in the past I was excluded from the process of formulating the municipal budget.

Sincerely,


Ronald W. Jones, Jr.
MAYOR

Council Over Rode veto under Resolution #2011-172

Ronald Roma
Council President