

#24-20-OA<sup>6</sup>

CALENDAR YEAR 2024

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN AND STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

April 15, 2024

**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 up to 2.5% unless authorized by ordinance to increase it to 3.5% 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 Council of the Township of Berkeley in the County of Ocean finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$431,544.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Council of the Township of Berkeley in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Berkeley shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0%, amounting to \$ 431,544.07, and that the CY 2024 municipal budget for the Township of Berkeley be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations 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.

  
JOHN A. BACCHIONE, Mayor

  
KEITH BUSCIO, Council President  
ANGELO GUADAGNO, Council Vice President

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on April 15, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 20<sup>th</sup> day of May 2024, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

  
KAREN E. STALLING, RMC  
Township Clerk, Township of Berkeley

**AFFIDAVIT OF PUBLICATION**

State of New Jersey, County of Hudson, ss:

Nicole Riegert, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of The Press of Atlantic City, a newspaper printed and published in the City of Linwood, distributed in the following counties: Atlantic, Camden, Cape May, Cumberland, Gloucester, and Ocean and mailed to various parts of the State of New Jersey, the United States, and foreign countries, does hereby certify that the Notice was published in The Press of Atlantic City on:

**PUBLICATION DATES:**

Apr. 23, 2024

**NOTICE ID:** LaXRI7nSUzM9COdWZZeY

**PUBLISHER ID:** COL4977

**NOTICE NAME:** April 15, 2024 Ordinances

**Publication Fee:** 107.80

All interested parties may rely upon the representations contained herein limited solely to the authenticity of the Notice accompanying this Certification to be an accurate reproduction of the same and the date upon which it was published.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

*Nicole Riegert*

(Signed)

SHANNEA H HOLMES  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
My Commission Expires August 1, 2026

**VERIFICATION**

State of New Jersey  
County of Hudson

Subscribed in my presence and sworn to before me on this: 04/24/2024

*Shanea H. Holmes*

Notary Public

Notarized remotely online using communication technology via Proof.

## 04-15-24 Berkeley Township Notice of Pending and Adopted Ordinances

### Berkeley Township Notice of Pending and Adopted Ordinances

24-17-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER VII, ENTITLED "TRAFFIC" §7-24, ENTITLED "RIGHT TURN ONLY" (SHORE PLAZA)

24-18-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF BERKELEY, SO AS TO AMEND SECTION 7-35.2, ENTITLED "HANDICAPPED PARKING ON STREET FOR PRIVATE RESIDENCES" (106 Sprague Ave)

24-19-OA

AN ORDINANCE AMENDING Chapter 35, Land Development, OF THE CODE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 35, LAND DEVELOPMENT, ARTICLE XVIII, PINELANDS AREA USE (Pinelands Comprehensive Management Plan)

24-20-OA

AN ORDINANCE OF THE CODE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN AND STATE OF NEW JERSEY ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14

24-21-OA

AN ORDINANCE AMENDING Chapter 35, Land Development, OF THE CODE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN AND STATE OF NEW JERSEY AUTHORIZING THE VACATION OF A PORTION OF VIRGINIA AVENUE (BETWEEN ARLINGTON AND PRINCETON AVES ) ABUTTING BLOCK: 675 LOTS: 29-34 AND BLOCK 674, LOTS: 1- (Greg & Meghan Senatore)

24-22-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 513, LOT 20 ON THE MUNICIPAL TAX MAP TO JAMES & HEATHER DELLA PIETRO IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (MADISON AVENUE; \$30,300.00)

24-23-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 513, LOT 18 ON THE MUNICIPAL TAX MAP TO JAMES & HEATHER DELLA PIETRO IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (MADISON AVENUE; \$30,300.00)

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on April 15, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 20 th day of May, 2024 , at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Copies of the Ordinance will be provided upon request from the Clerk's office at the address above, during regular business hours and can be found online at [www.berkeleystownship.org](http://www.berkeleystownship.org)

Karen Stallings, RMC

Township Clerk, Township of Berkeley

### Berkeley Township Notice of Ordinance Adoption

24-12-OAB

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 11, LOT 19 ON THE MUNICIPAL TAX MAP TO M&T REALTY IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (MULE ROAD; \$50,000.00)

24-13-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING VARIOUS SECTIONS IN CHAPTER XXVI ENTITLED "USE OF PUBLIC RESORTS" ( Recreation Fees)

24-16-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING VARIOUS SECTIONS IN CHAPTER XXV ENTITLED "MUNICIPAL GOLF COURSE REGULATIONS" (Fees)

Foregoing Ordinances were duly passed after Public Hearing held March 18, 2024 at a regular meeting of the Township of Berkeley and were approved by the Mayor on 4/15/2024

Printer Fee: \$107.80  
Pub Date: April 23rd, 2024

Order #: COL4977