

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING A SPECIAL EMERGENCY FOR THE CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES  
RESULTING FROM THE LAYOFF OR RETIREMENT OF TOWNSHIP EMPLOYEES IN ACCORDINANCE WITH  
N.J.S.A. 40A:4-53.

November 20, 2023

**WHEREAS**, N.J.S.A. 40A:4-53 provides that a municipality may adopt an ordinance providing for a special emergency appropriation for contractually required severance liabilities resulting from the layoff or retirement of Township employees; and

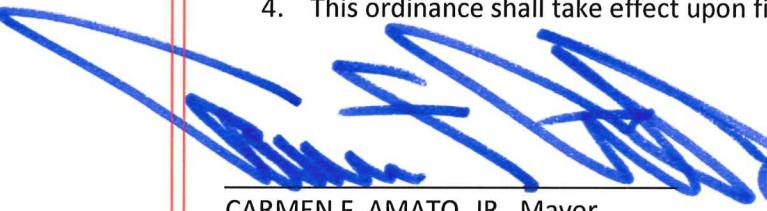
**WHEREAS**, the Township Council of the Township of Berkeley, County of Ocean, State of New Jersey has determined to authorize a special emergency appropriation to provide for the payment of contractually required severance liabilities resulting from the layoff or retirement of Township employees; and

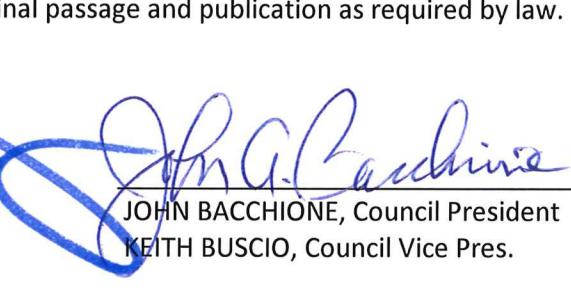
**WHEREAS**, the estimated cost of the payment of the required severance liabilities is \$200,000.00; and

**WHEREAS**, N.J.S.A. 40A:4-54 et. seq. provides that it shall be lawful to make such appropriations, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least 1/5 of the amount authorized pursuant to this act,

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Berkeley, County of Ocean, State of New Jersey as follows:

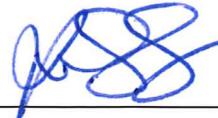
1. Pursuant to N.J.S.A. 40A:4-53, the sum of \$200,000.00 is hereby appropriated for the payment by the Township of contractually required severance liabilities resulting from the layoff or retirement of Township employees, and the same shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55.
2. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized by this ordinance and as provided in N.J.S.A. 40A:4-55.
3. That two certified copies of this ordinance shall be filed with the Director of the Division of Local Government Services.
4. This ordinance shall take effect upon final passage and publication as required by law.

CARMEN F. AMATO, JR., Mayor

JOHN BACCHIONE, Council President  
KEITH BUSCIO, Council Vice Pres.

**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 **November 20, 2023**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **18<sup>th</sup> day of December, 2023**, 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 STALLING, RMC  
Township Clerk, Township of Berkeley

## AFFIDAVIT OF PUBLICATION

Order Number : 9554808

STATE OF WISCONSIN  
Brown County

Of the **Asbury Park Press**, a newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in said newspaper in the issue:

11/28/2023

Keegan Moran

Legal Clerk

Denise Roberts

Notary Public State of Wisconsin County of Brown

4-6-27

My commission expires

DENISE ROBERTS  
Notary Public  
State of Wisconsin

23-35-OAB  
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" TO AMEND CHAPTER 7-19  
"THROUGH STREETS"(Browning  
Avenue)

23-36-OAB  
AN ORDINANCE OF THE TOWNSHIP  
OF BERKELEY COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AMENDING  
AND SUPPLEMENTING CHAPTER 11,  
ENTITLED "BUILDING AND HOUS-  
ING" SO AS TO REPEAL SECTION 11-  
5.6, ENTITLED "PERMIT FEE"

23-37-OAB  
AN ORDINANCE OF THE TOWNSHIP  
OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY AUTHORIZ-  
ING THE ACQUISITION OF AN EASE-  
MENT ON A PORTION OF BLOCK  
1022, Lot 24, FROM LAURA CALIFRI,  
IN ACCORDANCE WITH N.J.S.A.  
40A:12-5(f)(1)

23-38-OAB  
AN ORDINANCE OF THE TOWNSHIP  
OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AMENDING  
AND SUPPLEMENTING CHAPTER 35,  
ENTITLED "LAND DEVELOPMENT"  
SO AS TO AMEND SECTION 35-9,  
ENTITLED "APPLICATION FOR  
ZONING PERMIT; WHEN  
REQUIRED" (Selbacks Temporary  
Handicapped Ramps)

23-39-OAB  
AN ORDINANCE OF THE TOWNSHIP  
OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AMENDING  
CHAPTER 37-1 TOWN CENTER REDE-  
VELOPMENT PLAN AND AMENDING  
THE CHAPTER 35-105 TOWN CENTER  
REDEVELOPMENT PLAN

23-40-OAB re:  
AN ORDINANCE OF THE TOWNSHIP  
OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AMENDING  
CHAPTER XXXV, ENTITLED "LAND  
DEVELOPMENT" SO AS TO AMEND  
§35.3, ENTITLED "DEFINITIONS" (Low-Speed Vehicle)

23-41-OAB  
AMENDING AND SUPPLEMENTING  
CHAPTER II, ENTITLED "ADMINIS-  
TRATION" SO AS TO CREATE  
SECTION 2-6, ENTITLED "MAYOR'S  
ADVISORY COMMITTEE ON DEVEL-  
OPMENTAL DISABILITIES

Forgoing Ordinances were duly passed  
after Public Hearing held November 20,  
2023 at a regular meeting of the Township  
of Berkeley and approved by the Mayor  
on 11/20/23.

23-42-OA  
AN ORDINANCE OF THE TOWNSHIP  
OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZ-  
ING THE VACATION OF A PORTION  
OF CUMBERLAND AVENUE  
BETWEEN HAYES AVENUE AND  
COOLIDGE ABUTTING BLOCK 480  
LOTS 17 & 19 AND 18 & 20, BLOCK 479  
LOTS 1 & 2, 3 & 4

23-43-OA  
ORDINANCE OF THE TOWNSHIP OF  
BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZ-  
ING THE SALE OF MUNICIPALLY  
OWNED PROPERTIES SOLD BY  
AUCTION BY MAX SPANN ON  
DECEMBER 20, 2021 (ALC INVEST-  
MENT TRUST) BLOCK 1392, LOTS 1, 2-  
4, 6, 8, 10, 18, 20, 22 & 24-BAY BLVD

23-44-OA  
AN ORDINANCE OF THE TOWNSHIP  
OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY AUTHORIZ-  
ING THE ACQUISITION OF BLOCK  
1013, LOT 2, FROM NICHOL/PAYNE, IN  
ACCORDANCE WITH N.J.S.A. 40A:12-  
5(n)(1)

23-45-OA  
ORDINANCE OF THE TOWNSHIP OF  
BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZ-  
ING A SPECIAL EMERGENCY FOR  
THE CONTRACTUALLY REQUIRED  
SEVERANCE LIABILITIES RESULT-  
ING FROM THE LAYOFF OR  
RETIREMENT OF TOWNSHIP  
EMPLOYEES IN ACCORDINANCE  
WITH N.J.S.A. 40A:4-3.

23-46-OA  
AN ORDINANCE OF THE TOWNSHIP  
OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY TO  
PROVIDE FOR AND DETERMINE  
THE RATE OF COMPENSATION FOR  
CERTAIN EMPLOYEE TITLES, AND

ESTABLISHING THE METHOD OF  
SUCH COMPENSATION

23-47-OA

ORDINANCE OF THE TOWNSHIP OF  
BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZ-  
ING THE SALE OF BLOCK 1000, LOTS  
9-22 ON THE MUNICIPAL TAX MAP  
TO JOSEPH GERVASINI IN ACCOR-  
DANCE WITH THE PROVISIONS OF  
N.J.S.A. 40A:12-13 (WHEATON  
AVENUE) \$45,000.00)

NOTICE IS HEREBY GIVEN that the  
foregoing ordinance was introduced and  
passed on first reading of a regular meet-  
ing of the Township Council of the Town-  
ship of Berkeley, in the County of Ocean,  
State of New Jersey, held on November  
20, 2023, and will be considered for second  
reading and final passage at the regular  
meeting of said Governing Body to be  
held on the 18th day of December, 2023, 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 Pnewald-Keswick Rood, Bayville,  
New Jersey, at which time all persons  
interested shall be given an opportunity to  
be heard concerning this ordinance.

Karen Stallings, RMC  
Township Clerk, Township of Berkeley  
(\$75.68)

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