

A **Special Meeting** of the Township Council of the Township of Toms River was held in the Leonard G. Lomell Meeting Room, Municipal Complex, 33 Washington Street, Toms River, New Jersey at 5:00 PM.

The meeting was called to order by Council President Kubiel and opened with the Salute to the Flag.

Council President Kubiel read the following statement pursuant to the Open Public Meetings Act:

**SPECIAL BUDGET MEETING
April 5, 2016**

This special meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of the meeting has been provided by publishing a notice in the Asbury Park Press, **March 25, 2016** and forwarded to the Toms River Times, Toms River Patch, and WOBN News on **March 24, 2016**, and thereafter posting same on the Town Hall Bulletin Board for such notices, pursuant to a Resolution adopted by the Township Council on **March 22, 2016**. Notice was also posted on the Township Web Page.

Roll Call:

- Council Member Carr - Present
- Council Member Geoghegan - Present
- Council Member Hill - Absent
- Council Member Maruca - Present
- Council Member Wittmann - Present
- Council Vice-President Manforti - Absent
- Council President Kubiel - Present

Council Member Wittmann introduced the following Ordinance of which the title only was read in full:

CALENDAR YEAR 2016

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK PURSUANT TO
N.J.S.A. 40A: 4-45.1 ET SEQ.**

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 0 % 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 Township Council of the Township of Toms River in the County of Ocean finds it advisable and necessary to increase its CY2016 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 Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$2,818,051.93 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township 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 appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Toms River, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2016 budget year, the final appropriations of the Township of Toms River shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$2,818,051.93 and that CY2016 municipal budget for the Township of Toms River 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 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 five (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 Five (5) days after such adoption.

A motion was made by Council Member Wittmann, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Maruca, Wittmann, and Council President Kubiel voting yes, and with Council Members Hill and Manforti absent, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on April 5, 2016 at 5:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on April 26, 2016 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

J. MARK MUTTER
TOWNSHIP CLERK

APPROVED AS TO FORM:

KENNETH B. FITZSIMMONS
TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, April 8, 2016.

Ordinance was adopted on first reading with Council Members Carr, Geoghegan, Maruca, Wittmann and Council President Kubiels voting yes, and with Council Members Hill and Manforti absent.

2016 Municipal Budget Introduction

Council President Kubiels spoke regarding the Municipal Budget for 2016.

A motion was then made by Council Member Wittmann, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Maruca, Wittmann, and Council President Kubiels voting yes, and with Council Members Hill and Manforti absent, to ***introduce the 2016 Municipal Budget.***

ELECTED OFFICIALS' COMMENTS

NONE

PUBLIC COMMENTS

NONE

No other business appearing, the meeting was adjourned at 5:05 P. M., with Council Members Carr, Geoghegan, Maruca, Wittmann, and Council President Kubiels voting yes, and with Council Members Hill and Manforti absent.

EXECUTIVE SESSION

NONE

BRIAN S. KUBIEL, COUNCIL PRESIDENT

J. MARK MUTTER, TOWNSHIP CLERK