

**BOROUGH OF EATONTOWN NOTICE OF PENDING ORDINANCE 09-2012**

The ordinance published herewith was introduced and passed on first reading at a meeting of the governing body of the Borough of Eatontown in the County of Monmouth, State of New Jersey, held on Wednesday, March 14, 2012. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Eatontown Borough Hall, 47 Broad Street, Eatontown, New Jersey, on Wednesday, April 25, 2012, at 7:30 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall of Eatontown during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to members of the general public who shall request such copies, at the office of the Borough Clerk in said Borough of Eatontown. Any exhibits and/or attachments referred to are on file in the Borough Clerk's office, according to the New Jersey State Records Retention Schedule established by N.J.S.A. 47:3-15 et seq. and approved by the State Records Committee.

**BY ORDER OF MAYOR AND COUNCIL OF THE BOROUGH OF EATONTOWN  
KAREN R. SIANO, MMC, BOROUGH CLERK**

**ORDINANCE 09-2012 AMENDING CHAPTER 89 OF THE CODE OF THE BOROUGH OF EATONTOWN  
ENTITLED "LAND USE" OF THE CODE OF THE BOROUGH OF EATONTOWN**

BE IT ORDAINED, by the governing body of the Borough of Eatontown, County of Monmouth and State of New Jersey that the Ordinance entitled "Land Use" of the Code of the Borough of Eatontown is hereby amended as follows:

Section 89-49. Wireless Telecommunications Towers, Antennas and Transmission Facilities.

- (E) An application for antennas and ground equipment on telecommunications towers or existing structures that have previously been heard and approved before either the Eatontown Planning Board or Board of Adjustment and as long as the existing compound can accommodate all of the necessary equipment without the need to apply for variances, the applicant shall qualify for a zoning permit without need for additional Board approval, subject to review by the Borough Engineer that the tower structure is sound and that additional antennas and/or equipment will not adversely impact the structural integrity of the tower or exceed federal, state and municipal codes. The Borough Engineer's review shall be subject further to inspection fees imposed on the applicant and an escrow for such fees in advance, in an amount determined by the Borough Engineer.

BE IT FURTHER ORDAINED that:

- A. If any Section or provision thereof shall be adjudged invalid, such determination shall not affect the other Sections or provisions thereof, which shall remain in full force and effect.
- B. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency. The balance of Chapter 89 not amended by this Ordinance shall remain in effect to the extent that such provisions are not in conflict or inconsistent.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

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**BOROUGH OF EATONTOWN NOTICE OF PENDING ORDINANCE 10-2012**

The ordinance published herewith was introduced and passed on first reading at a meeting of the governing body of the Borough of Eatontown in the County of Monmouth, State of New Jersey, held on Wednesday, March 14, 2012. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Eatontown Borough Hall, 47 Broad Street, Eatontown, New Jersey, on Wednesday, April 11, 2012, at 7:30 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same. A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall of Eatontown during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to

members of the general public who shall request such copies, at the office of the Borough Clerk in said Borough of Eatontown. Any exhibits and/or attachments referred to are on file in the Borough Clerk's office, according to the New Jersey State Records Retention Schedule established by N.J.S.A. 47:3-15 et seq. and approved by the State Records Committee.

BY ORDER OF MAYOR AND COUNCIL OF THE BOROUGH OF EATONTOWN  
KAREN R. SIANO, MMC, BOROUGH CLERK

ORDINANCE 10-2012 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% or the cost of living adjustment, whichever is less, 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 Mayor and Council of the Borough of Eatontown in the County of Monmouth finds it advisable and necessary to increase its CY 2012 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 Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$617,202.99 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and 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 Mayor and Council of the Borough of Eatontown, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Eatontown shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$617,202.99 and that the CY 2012 municipal budget for the Borough of Eatontown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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 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.

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