



City Hall  
Englewood, New Jersey 07631  
(201) 871-6666

Office of Mayor Michael Wildes

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CITY CLERK'S OFFICE  
ENGLEWOOD, N.J.

2005 APR -7 A 9:08

April 6, 2005

**BY HAND**

Douglas Bern, Council President  
City Hall-Clerk's Office  
2-10 N. Van Brunt Street  
Englewood, NJ 07631

**VETO OF ORDINANCE 05-07**

I am returning the attached ordinance 05-07 for a CAP waiver with a veto. The state views budget discipline as no more than a 2.5% increase in spending per year. Although, an increase from 2.5% to a 3.5% in the CAP does not represent an overwhelming sum, just a 1% increase in the budget CAP does represent the wrong direction for Englewood's fiscal policy.

In the last few years, we have asked the taxpayers of our city to foot the bill for various expansions of government, from schools to capital improvements. Each request represented a sacrifice on the part of taxpayers. In this time of difficult budget challenges, from our state government on down, we too have to live up to our end of the bargain and demonstrate that our municipality can also sacrifice in holding the line on spending.

How can we ask taxpayers to reach into their pockets when necessary, if we cannot further cut corners when necessary on our part?

This veto presents a respectful challenge to our city manager and our finance officials to go back through the budget with sharpened pencils and show the taxpayers of Englewood that we too will economize where and when needed. Let us produce a budget that continues to fund essential services while at the same time it reduces spending in areas that do not directly serve crucial interests.

Sincerely,

MICHAEL J. WILDES  
MAYOR

cc via e-mail:  
Bill Rupp, City Solicitor  
Cheryl Fuller, City Manager

REGULAR ORDINANCE ADOPTION

ORDINANCE NO. 05-07

PRESIDENT BERN: Consideration will now be given to Ordinance No. 05-07. Will the City Clerk please read the ordinance by title.

CITY CLERK: (Read title under consideration at this time.)

AN ORDINANCE OF THE CITY OF ENGLEWOOD, BERGEN COUNTY, NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK CALENDAR YEAR 2005.

PRESIDENT BERN: I declare that the public hearing on this ordinance is now open. If there is any one who desires to be heard concerning this ordinance, or to ask questions concerning this ordinance, you will be heard at this time. Please come forward to the microphone and give your name and address for the record.

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If no one else wishes to be heard, I will now close the public hearing.

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MR. DRAKEFORD: I move that the ordinance pass on final reading and be adopted, and that the ordinance be published once, by title only, with the usual legal notice, in the Press Journal.

MS. SCHOEN: I second the motion.

ROLL CALL

PRESIDENT BERN: I declare the motion carried and the ordinance duly adopted.

RECEIVED IN CITY CLERK'S OFFICE

2005 APR - 7 - 9:09 AM

ORDINANCE NO. 05-07

AN ORDINANCE OF THE CITY OF ENGLEWOOD, BERGEN COUNTY, NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK CALENDAR YEAR 2005.

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% unless authorized by voters to increase it to 3.5% over the previous year's final appropriation, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:45.13a provides that a municipality may, when authorized by ordinance, appropriate more than the 2.5% or 3.5% limit, except in an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the City Council of the City of Englewood, County of Bergen, finds it advisable to increase its CY 2005 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 City Council hereby determines that a 3.5% increase in the budget for calendar year 2005, amounting to \$1,096,071 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

WHEREAS, the City Council hereby determines that any amount authorized hereinabove that is not appropriated in the final budget shall be retained as an amount to fund the appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby giving full authority and ratification of this ordinance, that the final appropriation in the CY 2005 budget year, the final appropriations of the City of Englewood shall, in accordance with the ordinance and N.J.S.A. 40A:45.14, be in excess of the 2.5% or 3.5% limit for the City of Englewood be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated in 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 adopted be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a copy of this ordinance upon adoption, with the recorded vote included hereon, be filed with said Director within 5 days after such adoption.

VETO of ORDINANCE NO.: 05-07

on April 6<sup>th</sup>, 2005

MICHAEL J. WILDES  
MAYOR

05 - 07