

**CALENDAR YEAR 2020
ORDINANCE 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.A. 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 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 Municipal Council of the City of New Brunswick in the County of Middlesex finds it advisable and necessary to increase its CY 2020 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 Municipal Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$766,271.34 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Municipal 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.

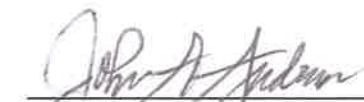
NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of New Brunswick, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the City of New Brunswick shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$2,681,949.69, and that the CY 2020 municipal budget for the City of New Brunswick 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 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 days after such adoption*.

**ADOPTED ON FIRST READING
DATED: June 3, 2020**


John A. Anderson
Council President

Leslie R. Zeledon
City Clerk

COUNCILMEMBER	Y	N	AB	NV	N	Y	N	AB	NV
EGAN									
ESCORBAR									
FLEMING									
ANDERSON, Pres									

FIRST READING VOTE ON JUNE 3, 2020 N= MOVED S= SECOND NV= NO VOTE AB= ABSENT

**ADOPTED ON SECOND READING
DATED:**

John A. Anderson
Council President

Leslie R. Zeledon
City Clerk

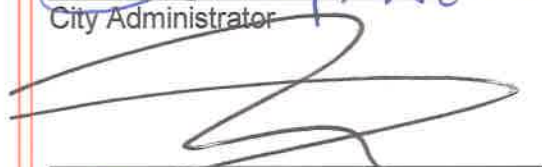
APPROVAL BY MAYOR ON THIS _____ DAY OF _____, 2020.

James M. Cahill
Mayor

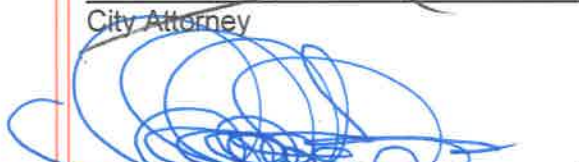
APPROVALS:



City Administrator



City Attorney



Chief Financial Officer

EXPLANATORY STATEMENT - (Continued)

BUDGET MESSAGE

<u>CAP CALCULATION</u>		<u>CAP CALCULATION</u>	
Total General Appropriations for 2019	94,523,063.00	Allowable Operating Appropriations before	
Cap Base Adjustment:		Additional Exceptions per (N.J.S.A. 40A:4-45.3)	78,542,812.35
Subtotal	94,523,063.00		
Exceptions Less:		Additions:	
Total Other Operations	1,633,758.00	New Construction (Assessor Certification)	242,066.37
Total Uniform Construction Code	-	2018 Cap Bank	735,731.11
Total Interlocal Service Agreement	3,970,000.00	2019 Cap Bank	744,136.17
Total Additional Appropriations	-		
Total Capital Improvements	238,654.00		
Total Debt Service	6,761,450.00		
Transferred to Board of Education	732,945.00	Total Additions	1,721,933.65
Type I School Debt	2,906,038.00		
Total Public & Private Programs	1,070,407.00	Maximum Appropriations within "CAPS" Sheet 19 @ 2.5%	80,264,746.00
Judgements			
Total Deferred Charges	160,000.00	Additional Increase to COLA rate. 3.5%	
Cash Deficit		Amount of Increase allowable. 1.0%	766,271.34
Reserve for Uncollected Taxes	422,677.00		
Total Exceptions	17,895,929.00		
Amount on Which CAP is Applied	76,627,134.00	Maximum Appropriations within "CAPS" Sheet 19 @ 3.5%	81,031,017.34
<u>2.5% CAP</u>	1,915,678.35		
Allowable Operating Appropriations before			
Additional Exceptions per (N.J.S.A. 40A:4-45.3)	78,542,812.35		

NOTE:

Sheet 3b

MANDATORY MINIMUM BUDGET MESSAGE MUST INCLUDE A SUMMARY OF:

1. HOW THE "CAP" WAS CALCULATED. (Explain in words what the "CAPS" mean and show the figures.)
2. A SUMMARY BY FUNCTION OF THE APPROPRIATIONS THAT ARE SPREAD AMONG MORE THAN ONE OFFICIAL LINE ITEM (e.g. if Police S & W appears in the regular section and also under "Operation Excluded from "CAPS" section, combine the figures for purposes of citizen understanding.)

ORDINANCE OF THE CITY OF NEW BRUNSWICK, COUNTY OF MIDDLESEX, NEW JERSEY RESCINDING THE DESIGNATION OF THE NEW BRUNSWICK HOUSING AUTHORITY AS REDEVELOPMENT ENTITY FOR THE REDEVELOPMENT OF THE PROPERTY IDENTIFIED ON THE CITY'S TAX MAP AS BLOCK 222, LOT 1.04, A PORTION OF COMSTOCK STREET AND A PORTION OF BLOCK 185.01, LOT 11.01 AND DESIGNATING THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AS THE REDEVELOPMENT ENTITY FOR THE AFOREMENTIONED PROPERTY AND CERTAIN OTHER PROPERTIES PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land within the municipality constitute areas in need of rehabilitation or redevelopment and to adopt redevelopment plans for such areas, pursuant to which redevelopment projects are to be undertaken; and

WHEREAS, the City of New Brunswick (the "City"), in accordance with the Redevelopment Law, previously designated the Jersey Handy Redevelopment Area, which is composed of certain property as further described in Exhibit A, (the "Jersey Handy Redevelopment Area"); and

WHEREAS, on or about August 3, 2005, the City adopted a redevelopment plan entitled the "Jersey Handy Redevelopment Area Redevelopment Plan" (as subsequently amended, the "Jersey Handy Redevelopment Plan") for such Redevelopment Area; and

WHEREAS, pursuant to Sections 4 and 21 of the Redevelopment Law, the Jersey Handy Redevelopment Plan had expressly named the New Brunswick Housing Authority (the "NBHA") as the redevelopment entity charged with carrying out redevelopment projects within the Jersey Handy Redevelopment Area in accordance with the Jersey Handy Redevelopment Plan; and

WHEREAS, with respect to a portion of the Jersey Handy Redevelopment Area consisting of Block 222, Lot 1.04, a portion of Comstock Street and a portion of Block 185.01, Lot 11.01 depicted on Exhibit B hereto (the "Jersey Handy Central Area"), the City, pursuant to Section 4(c) of the Redevelopment Law, now desires to designate the Middlesex County Improvement Authority (the "MCIA") as the redevelopment entity responsible for implementing the Jersey Handy Redevelopment Plan with respect to the Jersey Handy Central Area, with the NBHA to remain as the redevelopment entity for the balance of the Jersey Handy Redevelopment Area; and

WHEREAS, the City has also designated certain other properties identified as Block 51, Lots 2.01, 5, 6, 27, 28, 29, 29.02, 31 and 31.01 as an area in need of rehabilitation (the "Healthcare and Research Pavilion Rehabilitation Area"); and

WHEREAS, on or about April 1, 2020, the City adopted a redevelopment plan entitled the "Healthcare and Research Pavilion Redevelopment Plan" (the "Pavilion Redevelopment Plan") for the Healthcare and Research Rehabilitation Area; and

WHEREAS, the City now desires to rescind the designation of the NBHA as redevelopment entity for the Jersey Handy Central Area (but not for the balance of the Jersey Handy Redevelopment Area, for which the NBHA shall continue as redevelopment entity) and designate the MCIA as the redevelopment entity for the Jersey Handy Central Area; and

WHEREAS, the City also desires to expressly designate the MCIA as the redevelopment entity for the Healthcare and Research Rehabilitation Area to implement the Pavilion Redevelopment Plan, and, to the extent necessary, rescind any existing designation of the NBHA as same.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEW BRUNSWICK, NEW JERSEY, AS FOLLOWS:

SECTION I

The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION II

Pursuant to N.J.S.A. 40A:12A-4c, the designation of NBHA as the redevelopment entity for the Jersey Handy Central Area is hereby rescinded.

SECTION III

Pursuant to N.J.S.A. 40A:12A-4c, the MCIA is hereby designated as the redevelopment entity for the Jersey Handy Central Area.

SECTION IV

Pursuant to N.J.S.A. 40A:12A-4c, the MCIA is hereby also designated as the redevelopment entity for the Healthcare and Research Rehabilitation Area to implement the Pavilion Redevelopment Plan.

SECTION V

Pursuant to N.J.S.A. 40A:12A-4c, to the extent same may be necessary, the designation of NBHA as the redevelopment entity for the Healthcare and Research Rehabilitation Area is hereby rescinded.

SECTION VI

SEVERABILITY:

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION VII

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION VIII

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING:

DATED: June 3, 2020



COUNCIL PRESIDENT

ADOPTED ON SECOND READING:

DATED:

PRESIDENT

ATTEST:

CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2020.

MAYOR

APPROVALS:



CITY ADMINISTRATOR

CITY ATTORNEY

TKS/kc

COUNCILMEMBER	V	N	NV	AB	COUNCILMEMBER	V	N	NV	AB
EGAN	X				SEKOU DING APM	X			
ESCOBAR	X				ANDERSON, PHIL	X			
FLEMING	X								

FIRST READING VOTE ON JUNE 3, 2020 NP=MOVED S= SECOND NV= NO VOTE AB= ABSENT

EXHIBIT A**Jersey Handy Redevelopment Area**

The Jersey Handy Redevelopment Area of the City of New Brunswick, New Jersey, includes all of the area within the following described boundaries:

Beginning at the intersection of the Southerly line of Handy Street and the Easterly line of Jersey Avenue and proceeding in a southerly direction along the Easterly line of Jersey Avenue to the point of intersection with the Northerly line of Sanford Street, then proceeding Easterly along the Northerly line of Sanford Street approximately 500 feet to the intersection of the Westerly line of the Penn Central Railroad Main Line, thence in a Northerly direction along the Westerly line of the Penn Central Railroad Main Line to the intersection with the Southerly line of Baldwin Street, thence Easterly along the Southerly line of Baldwin Street to the point of intersection with the Easterly line of Railroad Avenue, then Northerly along the Easterly line of Railroad Avenue to the point of intersection with the Southerly line of Handy Street, thence Westerly along the Southerly boundary of Handy Street to the intersection with the Easterly line of Jersey Avenue and point of Beginning.

EXHIBIT B

Jersey Handy Central Area

