

2009-04

AN ORDINANCE TO PRESERVE A CAP BANK

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 Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, finds it advisable and necessary to increase its CY 2008 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 Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, hereby determines that a 1.0% increase in the budget for said year, amounting to \$91,058.37 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, 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 Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Borough of Haddonfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased to 3.5%, amounting to \$318,704.30, and that the CY 2009 municipal budget for the Borough of Haddonfield 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 5 days of introduction; and

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

SECTION I:

All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

SECTION II:

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

SECTION III:

This ordinance shall be in effect upon passage and publication according to law.

First Reading – February 10, 2009
Second Reading – February 24, 2009