

**BOROUGH OF FLORHAM PARK
MORRIS COUNTY, NEW JERSEY**

ORDINANCE #10-5

**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 Borough Council of the Borough of Florham Park in the County of Morris 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 Borough Council of the Borough of Florham Park hereby determines that an increase of up to 3.5% in the budget for said year, in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough 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 Borough Council of the Borough of Florham Park, County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2008 budget year, the final appropriations of the Borough of Florham Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by an amount not to exceed 3.5%, and that the CY 2008 municipal budget for the Borough of Florham Park 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.

INTRODUCED: March 16, 2010

ADOPTED: April 27, 2010

R. Scott Eveland, Mayor

ATTEST:

Sheila Williams, R.M.C.
Municipal Clerk

CERTIFICATION

I, Sheila A. Williams, Registered Municipal Clerk of the Borough of Florham Park, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Borough Council on April 27, 2010

Sheila Williams, Municipal Clerk