

O:2006-10

AN 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. 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 Governing Body of the Town of Phillipsburg in the County of Warren finds it advisable and necessary to increase its CY 2006 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 Governing Body hereby determines that a one percent increase in the budget for said year, amounting to \$84,603.70 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body 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 Town Council of the Town of Phillipsburg, County of Warren, that a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2005 budget year, the final appropriations of the Town of Phillipsburg shall, in accordance with this ordinance and N.J.S.A. 40A:40-

45.14, be increased by 3.5% amounting to \$296,112.95, and that the CY 2006 municipal budget for the Town of Phillipsburg 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 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 thereon, be filed with said Director within 5 days after such adoption.

CERTIFICATION

I, Michele D. Broubalow, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an ordinance duly adopted by the Town Council at their February 21, 2006 meeting

MICHELE D. BROUBALOW, RMC