

**BOROUGH OF NEW PROVIDENCE
ORDINANCE 2009-4**

“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2009 PURSUANT TO
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 Borough of New Providence, in the County of Union, finds it advisable and necessary to increase its CY 2009 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 1% increase in the budget for said year, amounting to \$111,503.39 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 Governing Body of the Borough of New Providence, in the county of Union, 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 New Providence shall, in accordance with this ordinance and N.J.S.A. 40a:4-45.14, be increased by 3.5%, amounting to \$390,261.87, and that the CY 2009 municipal budget for the Borough of New Providence 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 this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: May 18, 2009
Public Hearing: June 8, 2009
Adoption: June 8, 2009

BOROUGH OF NEW PROVIDENCE
STATE OF NEW JERSEY
COUNTY OF UNION

John A. Thoms, Mayor

Attest:

Wendi B. Barry, Borough Clerk