

## ORDINANCE 2009-20

### **AN ORDINANCE AMENDING ORDINANCE 2009-03 ENTITLED “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14” IN ORDER TO AMEND THE 3.5% AMOUNT STATED FROM \$153,112.52 TO \$158,710.17**

**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 Barnegat Township Committee of the Township of Barnegat in the County of Ocean finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous years final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Barnegat Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$158,710.17 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Barnegat Township Committee 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 Township Committee of the Township of Barnegat in the County of Ocean, 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 Township of Barnegat shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$158,710.17 and that the CY 2009 municipal budget for the Township of Barnegat 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 (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 five (5) days after such adoption.

INTRODUCTION  
RECORDED VOTE:  
Melchiondo  
Cirulli  
Morano  
Ryan  
Lisella

ADOPTION  
RECORDED VOTE:  
Melchiondo  
Cirullo  
Morano  
Ryan  
Lisella

### **NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced on first reading at a regular meeting of the Barnegat Township Committee held on the 15<sup>th</sup> day of June, 2009, and will be considered for second reading and final adoption at a regular meeting of said Committee to be held on the 6th day of July, 2009, at 900 West Bay Avenue, Barnegat, New Jersey at which time and place any person wishing to be heard on the subject shall be given an opportunity to be so heard.

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Kathleen T. West RMC  
Municipal Clerk