

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

ORDINANCE #2012-04

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR
YEAR 2012 PURSUANT TO 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 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 Township Committee of the Township of Andover in the County of Sussex finds it advisable and necessary to increase its CY 2012 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 Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$58,312.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the 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 Andover, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Township of Andover shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$204,094.28 and that the CY 2012 municipal budget for the Township of Andover 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.

Vita Thompson, R.M.C.
Municipal Clerk/Administrator

INTRODUCED: April 09, 2012
ADOPTED: May 14, 2012
CERTIFIED: May 14, 2012

ROLL CALL VOTE: Boyce, Phoebus, Walsh, Lensak – yes
Smith – no

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NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on April 09, 2012. A public hearing regarding same will be held at a meeting scheduled for May 14, 2012 beginning at 7:30 P.M., at the Municipal Building, 134 Newton-Sparta Road, Andover Township, NJ, at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Vita Thompson, R.M.C.
Municipal Clerk/Administrator

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WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in 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 Township Committee of the Township of Andover in the County of Sussex finds it advisable and necessary to increase its CY 2012 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 Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$58,312.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the 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 Andover, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Township of Andover shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$204,094.28 and that the CY 2012 municipal budget for the Township of Andover 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.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on April 09, 2012. A public hearing regarding same will be held at a meeting scheduled for May 14, 2012 beginning at 7:30 P.M., at the Municipal Building, 134 Newton-Sparta Road, Andover Township, NJ, at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

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NOTICE OF FINAL ADOPTION

NOTICE is hereby given that the above entitled ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 09TH day of April 2012. The same came up for final adoption at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 14th day of May 2012, and, after all persons present were given an opportunity to be heard concerning same, it was finally passed and adopted and will be in full force in the Township according to law.

Vita Thompson, R.M.C.
Municipal Clerk/Administrator