

**ORDINANCE TO EXCEED THE 2009
MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND
TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

Ordinance No. 2009-08

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 Township Committee of the Township of Manalapan in the County of Monmouth 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 Township Committee hereby determines that a 1.00% increase in the budget for the said year, amounting to \$253,904.16 in excess of the increase in final appropriations other wise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized here above 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 COMMITTEE OF THE TOWNSHIP OF MANALAPAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY that: a majority of the full authorized membership of this governing body affirmatively concurring, that, in the Calendar Year 2009 budget year, the final appropriations of the Township of Manalapan shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.00%, amounting to \$253,904.16 and that the CY 2009 municipal budget for the Township of Manalapan be approved and adopted in accordance with this ordinance: and,

Ordinance No. 2009-8, continued

BE IT FURTHER ORDANIED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years: and,

BE 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 of Local Government Services (2) within 5 days after such adoption, Administrator, Chief Financial Officer, Auditor and any other interested parties.

NOTICE OF PUBLIC HEARING

The Ordinance published herewith was Introduced and approved at a meeting of the Township Committee of the Township of Manalapan held on [April 7, 2009](#). This Ordinance will be further considered for final passage after a Public Hearing thereon before the Township Committee of the Township of Manalapan during a meeting to be held on [April 22, 2009](#) at the Municipal Complex, 120 Route 522 and Taylors Mills Road, Manalapan, New Jersey at 8:00 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard.

The proposed Ordinance in its entirety is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township web-site www.twp.manalapan.nj.us by clicking on the Ordinance listed on the Agenda posted for the Township Committee meeting of [April 22, 2009](#).

ROSE ANN WEEDEN, Municipal Clerk