

Intro: 5/4/09

Adopted: 5/18/09

**TOWNSHIP OF FAIRFIELD
ORDINANCE #2009-19**

**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 Mayor and Council of the Township of Fairfield in the County of Essex 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 Mayor and Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$136,453.39 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council 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 Mayor and Council of the Township of Fairfield, in the County of Essex, 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 Fairfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$477,586.86 and that the CY 2009 municipal budget for the Township of Fairfield be approved and adopted in accordance with this ordinance; and,

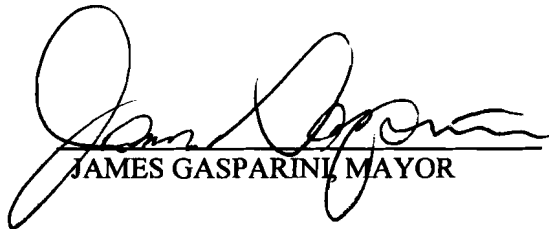
BE IT FURTHER ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

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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.


JAMES GASPARINI, MAYOR

ATTEST:


DENISE D. CAFONE, MUNICIPAL CLERK

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on **May 4, 2009** introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on **May 18, 2009 at 7:00 p.m.**, at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise D. Cafone
Municipal Clerk

INTRODUCTION OF ORDINANCE MAY 4, 2009

ORDINANCE #2009-19, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45-14)

INTRODUCED BY: COUNCIL PRESIDENT MCGLYNN

SECONDED BY: COUNCILMAN LAFORGIA

PUBLISHED:

2ND READING AND PUBLIC HEARING: MAY 7, 2009

ROLL CALL VOTE

| GOVERNING BODY | AYES | NAYS | ABSTAIN | ABSENT | NOVOTE |
|---------------------------------------|------|------|---------|--------|--------|
| COUNCILPRESIDENT MICHAEL MCGLYNN | X | | | | |
| COUNCILMAN JOHN LAFORGIA | X | | | | |
| COUNCILMAN WILLIAM CONNINGTON, III | X | | | | |
| COUNCILMAN THOMAS MORGAN | X | | | | |
| MAYOR JAMES GASPARINI | X | | | | |

2ND READING AND PUBLIC HEARING MAY 18, 2009

INTRODUCED BY: COUNCILMAN LAFORGIA

SECONDED BY: COUNCILMAN CONNINGTON

PUBLISHED: MAY 21, 2009

ROLL CALL VOTE

| GOVERNING BODY | AYES | NAYS | ABSTAIN | ABSENT | NO VOTE |
|--------------------------------------|------|------|---------|--------|---------|
| COUNCILPRESIDENT MICHAEL MCGLYNN | X | | | | |
| COUNCILMAN JOHN LAFORGIA | X | | | | |
| COUNCILMAN WILLIAM CONNINGTON,III | X | | | | |
| COUNCILMAN THOMAS MORGAN | X | | | | |
| MAYOR JAMES GASPARINI | | | | X | |