



# NOTICE OF ADOPTION OF ORDINANCE

PLEASE TAKE NOTICE that the Governing Body of the Borough of Atlantic Highlands introduced the following Ordinance at their April 14, 2010 meeting. Following a Public Hearing held on April 28, 2010, this Ordinance was finally adopted. This Ordinance is available for public inspection, and copies will be available at Borough Hall in the Municipal Clerk's office during regular business hours, 8:30 AM to 4:30 PM, Monday through Friday.

Dwayne M. Harris  
Municipal Clerk

## ORDINANCE 08-2010

### CALENDAR YEAR 2010 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 Borough Council of the Borough of Atlantic Highlands in the County of Monmouth finds it advisable and necessary to increase its CY 2010 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 Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$48,262.05 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough 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 Borough Council of the Borough of Atlantic Highlands, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Borough of Atlantic Highlands shall, in accordance with this ordinance and

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N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$168,917.18 and that the CY 2010 municipal budget for the Borough of Atlantic Highlands be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any 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, is filed with said Director within 5 days after such adoption.

After a motion was offered by Councilman P Doyle to approve this Ordinance, it was duly seconded by Councilman R Delloso