

**CAP BANK ORDINANCE NO. 2159-16**

**2016 MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK PURSUANT TO 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 up to 0.0% or the Cost of Living Adjustment (COLA), whichever is less, unless authorized by ordinance to increase it by up 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 Hawthorne, in the County of Passaic finds it advisable and necessary to increase its CY 2016 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

\$270,945.44 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 the final appropriations in either of the next two succeeding years,

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Hawthorne, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Hawthorne shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$477,434.62, and that the CY 2016 municipal budget for the Borough of Hawthorne 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 the final appropriations 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.

John N. Bertollo  
Council President

ATTEST: Lori DiBella, RMC  
Borough Clerk

**NOTICE OF PENDING ORDINANCE**

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey, held on April 6, 2016. It will be further considered for final passage after public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 445 Lafayette Avenue, in said Borough on May 4, 2016, at 7:00 p.m., at which time and place all interested members of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be posted on the borough website and made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

Lori DiBella, RMC, Borough Clerk

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HAWTHORNE AT A REGULAR MEETING ON MAY 4, 2016.

ATTEST:

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Lori DiBella, RMC, Borough Clerk

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John N. Bertollo, Council President

APPROVED:

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Richard S. Goldberg, Mayor