

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
ORDINANCE 2011-1**

**CALENDAR YEAR 2011
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 Township Committee of the Township of Mansfield in the County of Burlington finds it advisable and necessary to increase its CY 2011 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 3.5 % increase in the budget for said year, amounting to \$ 175,940 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 RESOLVED, by the Township Committee of the Township of Mansfield, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final in cap appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$ 5,202,798 and that the CY 2011 municipal budget for the Township of Mansfield shall be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER RESOLVED, 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 RESOLVED, 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 RESOLVED, 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.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. **Repealer.** Any and all Ordinance inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

- B. **Severability.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

- C. **Effective Date.** This Ordinance shall take effect upon proper passage in Accordance with the law.

INTRODUCE: January 12, 2011
ADOPTED: February 9, 2011