

**TOWNSHIP OF FRANKLIN  
COUNTY OF GLOUCESTER**

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

**O-1-09**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 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 Franklin in the County of Gloucester finds it advisable and necessary to increase its Calendar Year 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 % increase in the budget for said year, amounting to \$ 90,703.79 (NINETY THOUSAND SEVEN HUNDRED THREE DOLLARS AND SEVENTY-NINE CENTS) 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 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.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Franklin, in the County of Gloucester, 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 Franklin shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$317,463.27 (THREE HUNDRED SEVENTEEN THOUSAND FOUR HUNDRED SIXTY THREE DOLLARS AND TWENTY SEVEN CENTS), and that the CY 2009 municipal budget for the Township of Franklin 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,

**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.

Introduced: February 10, 2009

	Atkinson	Mattei	Ciancaglini	Pfrommer	Petsch
YES	X	X	X	X	X
NO					
ABSTAIN					
ABSENT					

Public Hearing: March 10, 2009

Adopted: March 10, 2009

	Atkinson	Mattei	Ciancaglini	Pfrommer	Petsch
YES	X	X	X	X	X
NO					
ABSTAIN					
ABSENT					

ATTEST:

TOWNSHIP OF FRANKLIN

\_\_\_\_\_  
CAROLYN K. TOY, CLERK

\_\_\_\_\_  
JOSEPH C. PETSCH, MAYOR

CERTIFICATION

I, CAROLYN K. TOY, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing ordinance was introduced at a regular meeting of the Township of Franklin held on February 10, 2009, and thereafter duly advertised in the legal newspaper of the Township at least 10 days prior to it being considered for final passage and adoption at a subsequent meeting to be held on March 10, 2009, at which time any person interested therein will be given an opportunity to be heard.

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CAROLYN K TOY, CLERK