

ORDINANCE #2024-1993  
CALENDAR YEAR 2024  
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.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 up to 2.5% or the cost of living adjustment, whichever is less, 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 Bernardsville in the County of Somerset finds it may be advisable and necessary to increase its CY 2024 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 of the Borough of Bernardsville hereby determines at that 3.5% increase in the budget for said year, amounting to \$121,211.21 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary (Allowable Cost of Living Adjustment of 2.5% for 2024); and,

WHEREAS, the Borough Council of the Borough of Bernardsville 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 Bernardsville, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Bernardsville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased to no more than 3.5%, amounting to \$424,239.24, and that the CY 2024 municipal budget for the Borough of Bernardsville 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 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.

Attest: Anthony Suriano

Mary Jane Caruso Mayor

Introduced: 2/26/24  
Published: 2/29/24  
Adopted: 3/25/24  
Published: 3/28/24