

**BOROUGH OF MIDLAND PARK
ORDINANCE #01-21**

“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COST OF LIVING ADJUSTMENT (COLA) IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A.40A:4-45.14)”

BE IT ORDAINED, by the Borough Council of the Borough of Midland Park, in the County of Bergen, New Jersey, as follows:

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 1.0% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 1.0% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

WHEREAS, the COLA for CY 2021 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 1.0%; and,

WHEREAS, N.J.S.A 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 1.0% 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 Midland Park, in the County of Bergen, finds it advisable and necessary to increase its CY 2021 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 \$293,948.78 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 Midland Park, in the County of Bergen, a majority of the full authorized membership of this governing Body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Midland Park shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$8,692,485.53 and that the CY 2021 municipal budget for the Borough of Midland Park, 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.

BE IT FURTHER ORDAINED, that any ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance, are hereby repealed, but only to the extent of such inconsistencies.

This ordinance shall take effect at the time and in the manner provided by law.

Wendy Martin, Borough Clerk

Harry Shortway Jr., Mayor

Member	Motion	Second	Aye	Nay	Abstain	Absent
Damiano						
Kruis						
Sansone						
DeLuca						
Peet						
Iannone						

Introduced: January 14, 2021

Adopted: February 11, 2021

This is to certify this document is a true copy of an Ordinance passed on final reading by the Midland Park Borough Council at a meeting held on February 11, 2021

Wendy Martin
Borough Clerk

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432**

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“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COST OF LIVING ADJUSTMENT (COLA) IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A.40A:4-45.14)”

NOTICE IS HEREBY GIVEN, that the proposed Ordinance was introduced and passed on the first reading at a regular meeting of the Borough Council of the Borough of Midland Park, Bergen County, New Jersey, held on January 14, 2021, and that said Ordinance will be taken up for further consideration and final passage at the Regular meeting of the Borough Council on February 11, 2021 at 8:00 P.M., or as soon thereafter will be given the opportunity to be heard concerning the same. Meetings are currently being held electronically in lieu of in-person regular Public Meeting at Midland Park Borough Hall, Midland Park, New Jersey due to the current situation involving the COVID-19 Virus and directives of State and County Governments

TAKE FURTHER NOTICE, that the Borough Clerk has posted a copy of said Ordinance on the bulletin board in Midland Park Borough Hall and will make copies of the Ordinance available to members of the general public who request the same.

Wendy Martin
Borough Clerk

Proof of Publication is required
1 Reprint requested

For the January 22, 2021 issue of The Bergen Record

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432**

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NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced at a regular meeting of the Borough Council of the Borough of Midland Park, Bergen County, held on January 14, 2021, and was passed on final reading and approved at a Regular meeting of the said Borough Council, held on February 11, 2021. Meetings are currently being held electronically in lieu of in-person regular Public Meeting at Midland Park Borough Hall, Midland Park, New Jersey due to the current situation involving the COVID-19 Virus and directives of State and County Governments.

**Lorenzo Damiano
Jerry Iannone
Kenneth Kruis
Lorraine DeLuca
Nancy Peet
Robert Sansone**

Proof of Publication Required
1 Reprint Requested

For the February 19, 2021 issue of The Bergen Record

