

**BOROUGH OF PROSPECT PARK**

**ORDINANCE NO. 2023-14**

**CALENDAR YEAR 2023**

**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 2.50% 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 Prospect Park in the County of Passaic finds it advisable and necessary to increase its CY 2023 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 1.00% increase in the budget for said year, amounting to \$60,969.76 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 Prospect Park, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Prospect Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$213,394.16, and that the CY 2023 municipal budget for the Borough of Prospect Park be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, 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 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,

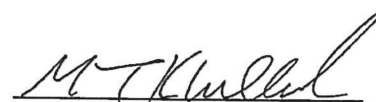
**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**Introduction and First Reading:  
August 21, 2023**

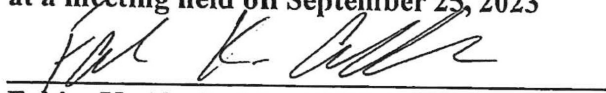
COUNCIL MEMBER	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President Hussain		✓	✓			
Councilman Artis			✓			
Councilman Daghstani			✓			
Councilwoman Ortiz			✓			
Councilwoman Perez			✓			
Councilman Shah	✓		✓			

**Second Reading and Adoption:  
September 25, 2023**

COUNCIL MEMBER	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Council President Hussain			✓			
Councilman Artis						✓
Councilman Daghstani			✓			
Councilwoman Ortiz						✓
Councilwoman Perez		✓	✓			
Councilman Shah	✓		✓			

  
**Mohamed Khairullah,  
 Mayor**

**This Ordinance was duly approved and adopted  
 by the Council of the Borough of Prospect Park  
 at a meeting held on September 25, 2023**

  
**Fahim K. Abedrabbo, MPA  
 Acting Municipal Clerk**