

**ORDINANCE 2004-11**

**"CAP" ORDINANCE TO EXCEED INDEX RATE  
FOR THE FISCAL YEAR 2004 (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 to 5% or the index rate, whichever is less, over the previous year's final appropriation, subject to certain exceptions; and

**WHEREAS**, P.L. 1986, C.203 amended the Local Government Cap Law, to provide that a municipality may, in any year in which the index rate is less than 5%, increase its final appropriations by a percentage rate greater than the index rate but not to exceed the 5% rate as defined in the amendatory law, when authorized by ordinance; and

**WHEREAS**, the index rate for Year 2004 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 1.0%; and

**WHEREAS**, the Township Committee of the Township of Hillsborough, in the County of Somerset finds it advisable and necessary to increase its budget by more than 1.0% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and

**WHEREAS**, the Township Committee hereby determines that a 5.0% increase in the budget for said year, amounting to \$612,700.40 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

**NOW, THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2004 Budget, the final appropriations of the Township of Hillsborough shall, in accordance with this ordinance and P.L. 1986, C.203, and be increased to a maximum of 5.0%, amounting to \$765,875.50 and that the 2004 Budget for the Township of Hillsborough be approved and adopted in accordance with this ordinance; 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:

TOWNSHIP OF HILLSBOROUGH

\_\_\_\_\_  
Kevin P. Davis, Acting Township Clerk

By: \_\_\_\_\_  
Steven N. Sireci, Mayor

**CERTIFICATION**

I, Kevin P. Davis, Acting Township Clerk, hereby certify that the above ordinance is a true and correct copy of a ordinance adopted by the Township Committee of the Township of Hillsborough at a regular and duly convened meeting held March 9, 2004

IN WITNESS THEREOF, I have set my hand and affixed the seal of the Township of Hillsborough this 10<sup>th</sup> day of March 2004.