

**BOROUGH OF RIVERTON
ORDINANCE 4-06**

**“CAP” ORDINANCE OF THE BOROUGH OF RIVERTON TO EXCEED THE
MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH
A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5
PERCENT (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 2.5% 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. 40A4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% 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 2006 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; 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 2.5%, 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 Riverton in the County of Burlington finds it advisable and necessary to increase its 2006 budget by more than 2.5% 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 Riverton hereby determines that a 3.5% increase in the budget for said year, amounting to \$18,137.77 in excess of the 2.5% increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council of the Borough of Riverton 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 Riverton, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2006 budget year, the final appropriations of the Borough of Riverton shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$63,482.18 and that the 2006 municipal budget for the Borough of Riverton be approved and adopted in accordance with this ordinance.

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

Robert Martin
Mayor

CERTIFICATE OF CLERK

I, Mary Longbottom, Municipal Clerk of the Borough of Riverton, in the County of Burlington and State of New Jersey, do hereby **CERTIFY** that the foregoing is a true copy of an Ordinance introduced and passed on first reading by the Borough Council of the Borough of Riverton at a meeting of said Borough Council held on March 1, 2006. This Ordinance will be considered for final adoption after second reading and a public hearing at a meeting of the Borough Council on April 5, 2006.

Mary Longbottom, RMC
Municipal Clerk

| RECORDED VOTE | AYE | NAY | ABSTAIN | ABSENT |
|--|-----|-----|---------|--------|
| DANIEL VILLARI DR. SMYTH MR. SMYTH KINZLER CESARETTI MAYOR (TIE) | | | | |