

**CITY OF NORTHFIELD, NJ
ORDINANCE NO. 5-2023**

**REPEALING AND REPLACING ORDINANCE NO. 4-2023, 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, Ordinance No. 4-2023, an Ordinance to exceed the municipal budget appropriation limits and to establish a cap bank, was introduced by the Common Council of the City of Northfield on February 7, 2023; and

WHEREAS, Ordinance No. 4-2023 was properly transmitted to the Press of Atlantic City by the Clerk of the City of Northfield on February 8, 2023 for publication in full in accordance with N.J.S.A. 40:49-2; and

WHEREAS, Ordinance 4-2023 was finally adopted after a second reading and public comment (if any) by the Common Council of the City of Northfield on February 21, 2023; and

WHEREAS, after introduction as set forth above, due to an error solely on the part of the Press of Atlantic City newspaper, the February 21, 2023 public hearing was not published / advertised as requested; and

WHEREAS, for the sake of transparency and to provide the intended opportunity for meaningful public comment, the Common Council of the City of Northfield feels it is in the best interests of the citizens of the City of Northfield to repeal Ordinance No. 4-2023 and replace same in its entirety by this Ordinance 5-2023 so that the failure to publish Ordinance 4-2-2023 does not deprive the members of the public opportunity to provide meaningful public comment prior to adoption; and

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 2.5% 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 City Council of the City of Northfield in the County of Atlantic 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 City Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$95,468.69 in excess of the increase in final

appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the City 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 City Council of the City of Northfield, in the County of Atlantic, that Ordinance 4-2023 is hereby repealed in its entirety and replaced with this Ordinance 5-2023.

BE IT FURTHER ORDAINED, by the City Council of the City of Northfield, in the County of Atlantic, that 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 City of Northfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$10,278,518 and that the CY 2023 municipal budget for the City of Northfield 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.

Mary Canesi, RMC, Municipal Clerk

Erland Chau, Mayor

The above Ordinance was introduced and passed on its first reading at a regular meeting of the Common Council of the City of Northfield, New Jersey held on March 7, 2023 and was taken up for a second reading, public hearing and final passage at a meeting of said Council held March 21, 2023 in Council Chambers, City Hall, Northfield, New Jersey.

FIRST READING: March 7, 2023
PUBLICATION: March 11, 2023
SECOND READING: March 21, 2023
PUBLICATION: March 25, 2023