

**TOWNSHIP OF FREDON, IN THE COUNTY OF SUSSEX AND STATE OF NEW
JERSEY
RESOLUTION NO. 2022-25
RE: AUTHORIZING LEVY CAP AND BUDGET CAP REFERENDUM ON TUESDAY,
APRIL 19, 2022**

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WHEREAS, N.J.S.A. 40A:4-45.45 provides that in preparation of its budget, a municipality shall, subject to certain statutory exceptions, limit any increase in its allowable municipal tax levy to two percent (2%) over the previous year's tax levy; and

WHEREAS, N.J.S.A. 40A:4-45.46 permits a municipality to increase its allowable tax levy by a percentage rate greater than otherwise authorized where said increase is approved by referendum; and

WHEREAS, N.J.S.A. 40A:4-4-45.2 provides that in preparation of its budget a municipality shall limit any increase in said budget to two and one half percent (2.5%) over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.3(i) permits a municipality to increase final appropriations by a percentage rate greater than two and one half percent (2.5%) where said increase is approved by referendum; and

WHEREAS, the Governing Body of the Township of Fredon, in the County of Sussex has called for a special referendum election pursuant to N.J.S.A. 40A:4-45.46 and N.J.S.A. 40A:4-45.3a, because it finds it advisable and necessary to increase its 2022 allowable tax levy and allowable final appropriations by more than otherwise authorized; and

WHEREAS, the Governing Body of the Township of Fredon hereby determines that a 9.7% increase in the allowable tax levy, which is \$218,199 in excess of the increase in allowable tax levy, and that an increase of 21.80 % or 475,846.92 over its otherwise allowable final appropriations shall be added, will only become effective upon authorization by the voters by referendum; and

WHEREAS, set forth below are those that have given rise to the need to seek an increase in the allowable tax levy and final appropriations from what would otherwise be provided under the limitations of state law:

<u>Increase in Appropriation Line Items</u>	<u>Amount of Increase</u>
For Recycling, Solid Waste, Bulk Waste Collection	\$528,000

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NOW, THEREFORE, BE IT RESOLVED, that the question to be placed on the ballot shall be as follows:

Public Question

“Shall the Township Committee of the Township of Fredon be authorized to increase its adjusted tax levy by \$218,199 more than the allowable adjusted tax levy, which is 9.7% more than the allowable adjusted tax levy as provided by N.J.S.A. 40A:-45.44 et seq. and shall it be authorized to increase to adopt the 2022 Municipal Purposes Budget in excess of the increase limitation by 21.80 % or 475,846.92

as provided by N.J.S.A. 40A:4-45.3(i).”

Explanatory Statement

A “yes” vote will authorize the governing body of the municipality to award a 5 year contract for Curbside Solid Waste and Recyclable Materials Collection and Disposal Services including weekly trash collection, twice monthly recycling collection and monthly bulk collection. The quarterly cost for the average household in the Township of Fredon for these services would be less than the standard rates residents pay for weekly trash collection.

A “yes” vote will also authorize the governing body of the municipality to adopt the budget that was introduced and published that provided for an increase in the tax levy over the allowable property tax levy cap, and an increase in the allowable municipal appropriations over the amount authorized by State law at the rate of increase described in the ballot question.

A “no” vote means that the governing body must amend their budget through appropriation reductions or allowable non-property tax revenue increases in order to adopt the budget within the tax levy and appropriation increase limits set forth by law.

BE IT FURTHER RESOLVED, that said referendum be, and the same is scheduled April 19, 2022, between the hours of 6:00 a.m. and 8:00 p.m., prevailing time, in the manner provided by statute.

BE IT FURTHER RESOLVED, that the local municipal budget of the Township Committee of the Township of Fredon for 2022 is hereby authorized to be published in the New Jersey Herald April 5, 2022 issue.

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BE IT FURTHER RESOLVED, that a public hearing on the budget will be held on Thursday, April 28, 2022, 7:00 pm at the Fredon Township Municipal Building, 443 Route 94, Fredon, NJ, at which time and place objections to said budget may be presented by taxpayers or other interested parties.

BE IT FURTHER RESOLVED, that two (2) certified copies of this Resolution, shall be transmitted to the Director of the Division of Local Government Services, within 3 days after adoption with the recorded vote included thereon as required by N.J.S.A. 40A:4-5.

RECORDED VOTE:

Aye: 4

Nay: 0

Abstain: 0

ATTEST:


Suzanne Boland, RMC,
Municipal Clerk


John Flora, Mayor

CERTIFICATION

I, Suzanne Boland, RMC, Municipal Clerk do hereby certify that the foregoing Resolution was duly adopted by the Governing Body of the Township of Fredon, County of Sussex, State of New Jersey at their Meeting of Thursday, January 27, 2022.


Suzanne Boland, RMC
Municipal Clerk

