

# County of Passaic

## Board of County Commissioners



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Louis E. Imhof  
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Date: Feb 11, 2025 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING THE PASSAIC COUNTY PROSECUTOR TO EXCEED THE COUNTY ENTITY BUDGET REQUEST CAP IN CALENDAR YEAR 2025, PURSUANT TO P.L. 2015, c.249

THIS RESOLUTION WAS REQUESTED BY:  
FINANCE

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

<b>Official Resolution#</b>	
Meeting Date	2/11/2025
Introduced Date	2/5/2025
Adopted Date	
Agenda Item	10.
CAF#	
Purchase Req. #	
Result	

Administration and Finance

COMMITTEE NAME

**RESOLUTION AUTHORIZING THE PASSAIC COUNTY PROSECUTOR TO EXCEED THE COUNTY ENTITY BUDGET REQUEST CAP IN CALENDAR YEAR 2025, PURSUANT TO P.L. 2015, c.249**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic (hereafter “Board”) is vested with managing the property, finances, and affairs of the County; and

**WHEREAS**, P.L. 2015, c.249 requires a county entity to submit a budget request to the county governing body that is comprised of two parts: the amount to be raised by property taxation, and the amount to be funded wholly through federal or State funds, fees raised by the county entity, or other sources; and

**WHEREAS**, the term “county entity” means a county board of taxation, office of the county superintendent of election, office of the county board of election, office of the county register of deeds and mortgages, office of the county clerk, office of the county surrogate, office of the county prosecutor, and county sheriff’s department; and

**WHEREAS**, the portion of the budget request submitted by Passaic County Prosecutor that is funded by property taxation does exceed the cap imposed by P.L. 2015, c.249; and

**WHEREAS**, notwithstanding the budget request submitted by the Passaic County Prosecutor, the Board finds it advisable and necessary for purposes of health, safety and welfare to authorize the Passaic County Prosecutor to increase its appropriations beyond the maximum permitted by the budget request cap set forth in P.L. 2015, c.249; and

**WHEREAS**, the Board hereby determines that a one and fifty nine-one hundredths percent (1.59%) increase beyond the maximum increase permitted by the budget request cap set forth in P.L. 2015, c.249, which amounts to three hundred eleven thousand two hundred fourteen dollars (\$311,214) in excess of the increase in the portion of the budget request funded by property taxation otherwise permitted P.L. 2015, c.249, is advisable and necessary; and

**WHEREAS**, the Board desires that the increase beyond the limit set forth in P.L. 2015, c.249 to become the base from which Passaic County Prosecutor request increases in subsequent years are to be measured; and

**WHEREAS**, the Board has determined that one and fifty nine-one hundredths percent (1.59%) increase beyond the maximum increase permitted by the budget request cap set forth in P.L. 2015, c.249 shall not cause the County to exceed the levy caps set forth in 1977 and 2010 levy cap laws (N.J.S.A. 40A:4-45.4 and N.J.S.A. 40A:4-45.45 respectively); and

**WHEREAS**, this matter was discussed by the Budget Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, by the Board of County Commissioners of the County of Passaic a majority of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Passaic County Prosecutor shall, in accordance with this resolution, be increased by one and fifty nine-one hundredths percent (1.59%) beyond the maximum increase permitted by the budget request cap set forth in P.L. 2015, c.249, amounting to three hundred eleven thousand two hundred fourteen dollars (\$311,214.00) in excess of the increase in the portion of the budget request funded by property taxation otherwise permitted P.L. 2015, c.249, and that said increase shall be presented as part of the county budget submission to be approved by the Director of the Division of Local Government Services in the Department of Community Affairs.

**LET IT BE FURTHER RESOLVED**, that the increase beyond the limit set forth in P.L. 2015, c.249 to become the base from which Passaic County Prosecutor request increases in subsequent years are to be measured.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board shall submit a certified copy

of this resolution to the Director of the Division of Local Government Services alongside all other documents required to be submitted with the introduced County budget.

**LET IT BE FURTHER RESOLVED**, that the County Administrator, County Counsel, Clerk of the Board, Chief Financial Officer, and Director of the Board are authorized to take all necessary action to carry out the purpose of this resolution.

February 11, 2025