

**PUBLIC NOTICE**

**COMMUNITY AFFAIRS**

**LOCAL FINANCE BOARD**

**Notice of Action on Petition for Rulemaking**

**Certification of Available Funds**

**N.J.A.C. 5:30-5.4**

Petitioner: Mr. John Paff, Chairman, Open Government Advocacy Project, New Jersey Libertarian Party.

**Take notice** that on August 5, 2014, the Local Finance Board received a petition for rulemaking from the above petitioner requesting that the Board amend N.J.A.C. 5:30-5.4(a) to require that all Certifications of Available Funds explicitly set forth the maximum dollar amount of the contract to be awarded. A notice acknowledging receipt of the petition and summarizing its contents was published in the September 15, 2014, New Jersey Register at 46 N.J.R. 1977(b).

**Take further notice** that this petition was considered by the Local Finance Board at its public meeting on September 10, 2014. At that time, the Board determined to refer the matter to Division of Local Government Services staff for further deliberation and recommendation on further action within 90 days. A notice of action on the petition for rulemaking was published in the November 3, 2014, New Jersey Register at 46 N.J.R. 2199(a).

**Take further notice** that Division of Local Government Services staff recommended that the Board propose an amendment to N.J.A.C. 5:30-5.4 that would require that: 1) the certification of available funds set forth the maximum dollar amount of the contract

pending approval by the governing body; 2) the certifying financial officer cannot issue a certification of funds unless the maximum dollar value of the contract pending approval by the governing body is provided; and 3) the resolution awarding the contract set forth the maximum dollar amount of the contract. At its December 10, 2014, meeting, the Local Finance Board upon due consideration voted to propose an amendment to N.J.A.C. 5:30-5.4 with the above-referenced requirements in the interest of obtaining public comment. The notice of proposal is published elsewhere in this issue of the New Jersey Register.

A copy of this public notice has been mailed to the petitioner.