

**BOROUGH OF MILFORD  
ORDINANCE NO. 951-2023  
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**, 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 Common Council of the Borough of Milford in the County of Hunterdon 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 Common Council of the Borough of Milford hereby determines that a 3.5 % increase in the budget for said year, amounting to \$39,386.55 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Common Council of the Borough of Milford 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 Common Council of the Milford, in the County of Hunterdon, 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 Borough of Milford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$39,386.55, and that the CY 2023 municipal budget for the Borough of Milford be approved and adopted in accordance with this ordinance; and,

**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.

**FIRST READING - ROLL CALL VOTE**

<b>Council Member</b>	<b>Intro.</b>	<b>Adopt</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
James Gallos				x			
Noralie LaFevre		x		x			
Russell Heller				x			
Ronald Rehl				x			
Robert White	x			x			
Elisa Yager			x	x			

**SECOND READING & FINAL ADOPTION - ROLL CALL VOTE**

<b>Council Member</b>	<b>Intro.</b>	<b>Adopt.</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
James Gallos			x	x			
Noralie LaFevre	x			x			
Ronald Rehl				x			
Robert White							x
Elisa Yager		x		x			

Introduced and passed:  
Hearing and consideration for final adoption:  
Published upon final adoption

January 17, 2023  
February 21, 2023  
March 2, 2023

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Henry Schepens  
Mayor

Attest:

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Karen Dysart  
Municipal Clerk