

**ORDINANCE #01-23**

**2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase 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 Borough Council of the Borough of Jamesburg in the County of Middlesex 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 Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$71,371.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, Borough Council of the Borough of Jamesburg 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 Borough Council of the Borough of Jamesburg, in the County of Middlesex, 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 Jamesburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$249,799.53 and that the CY 2023 municipal budget for the Borough of Jamesburg 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 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 of such adoption.

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RECORD OF VOTE:

FIRST READING: January 18, 2023

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Emens		X	X
Council Member Goletz			X
Council Member Rampacek	X		X
Council Member Rutsky			X
Council Member Taylor			X
Council President Spillane			X
Mayor Lowande			

PUBLICATION: January 27, 2023

SECOND READING: February 15, 2023

PUBLIC HEARING: February 15, 2023

COUNCIL MEMBER	MOTION TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTION TO ADOPT	2nd	VOTE
Council Member Emens		Y	Y	Y		Y		Y	Y
Council Member Goletz			Y			Y			Y
Council Member Rampacek	Y		Y		Y	Y	Y		Y
Council Member Rutsky			AB			AB			AB
Council Member Taylor			Y			Y			Y
Council President Spillane			Y			Y			Y
Mayor Lowande									

Y = YES    N = OPPOSED    A = ABSTAINED    AB = ABSENT

APPROVED:

  
 Marlene Lowande, Mayor

ATTEST:

  
 Susan Boulogne, Registered Municipal Clerk