

**BOROUGH OF ELMER  
COUNTY OF SALEM**

**ORDINANCE 2017-2  
2017 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 0.5% 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 Borough Council of the Borough of Elmer in the County of Salem finds it advisable and necessary to increase its CY 2017 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 3.5% increase in the budget for said year, amounting to \$23,031.72 in excess of the increase in final appropriations otherwise permitted by the Local Government CAP Law, is advisable and necessary; and

WHEREAS, the Borough Council 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 Elmer in the County of Salem, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2017 budget year, the final appropriations of the Borough of Elmer shall, in accordance with this ordinance and **N.J.S.A. 40A:4-45.14**, be increased by 3.5%, amounting to \$26,870.34 and that the CY 2017 municipal budget for the Borough of Elmer 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.

\* \* \* \* \*

The above ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Elmer on the 4<sup>th</sup> day of January, 2017, at the Borough Hall, 120 South Main Street, Elmer, New Jersey, and should be presented for final consideration and passage at a meeting of the Borough Council of the Borough of Elmer to be held on the 8<sup>th</sup> day of February, 2017, at 7:30 p.m.

ATTEST:

\_\_\_\_\_  
Sarah D. Walker Acting Borough Clerk

\_\_\_\_\_  
Joseph P. Stemberger, Mayor

ROLL CALL VOTE as follows:

	<u>MOTION</u>	<u>SECOND</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Schneider	_____	_____	_____	_____	_____	_____
Davis	_____	_____	_____	_____	_____	_____
Nolan	_____	_____	_____	_____	_____	_____
Richards	_____	_____	_____	_____	_____	_____
Schalick	_____	_____	_____	_____	_____	_____
Zee	_____	_____	_____	_____	_____	_____

Introduced:                    January 4, 2017

Adopted:                      \_\_\_\_\_

Published:                    \_\_\_\_\_

Public Hearing:                \_\_\_\_\_

NOTICE OF INTRODUCTION  
ORDINANCE 2017-2  
2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

NOTICE IS HEREBY GIVEN that the foregoing proposed Ordinance was introduced and passed by the Mayor and Borough Council of the Borough of Elmer, County of Salem, and State of New Jersey, at its regular meeting held on Wednesday, January 4, 2017, and that a public hearing thereon will be conducted by the Mayor and Borough Council at its meeting on Wednesday, February 8, 2017, at 7:30 p.m., at the Borough Hall, Elmer, New Jersey, after which the Ordinance will be considered for adoption.

Sarah D. Walker, Acting Borough Clerk

NOTICE OF ADOPTION  
ORDINANCE 2017-2  
2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

The foregoing named Ordinance was duly adopted at a regular meeting of the Mayor and Borough Council of the Borough of Elmer on February 8, 2017.

Sarah D. Walker, Acting Borough Clerk