

**Ordinance #2019-1213**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APROPRIATION LIMITS PROVIDING FOR A 3.5% "CAP" FOR THE 2019 BUDGET AND TO ESTABLISH A CAP BANK PURSUANT TO NJSA 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 the 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 Council of the Borough of Manville in the County of Somerset finds it advisable and necessary to increase its CY 2019 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 \$102,411.10 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 Manville, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Borough of Manville shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$358,438.85, and that the CY 2019 municipal budget for the Borough of Manville 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 the Director of the Division of Local Government Services within 5 days after such adoption.

Borough of Manville,



Richard M. Onderko, Mayor

**ORDINANCE #2019-\_1213**

**FIRST READING:**

**ROLL CALL**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		<b>MAGNANI</b>	✓			
	✓	<b>LUKAC</b>	✓			
		<b>PETRONE</b>	✓			
		<b>SKIRKANISH</b>	✓			
✓		<b>SZABO</b>	✓			
		<b>ZAMORSKI</b>	✓			
		<b>MAYOR ONDERKO</b>				

**INTRODUCED** this 11<sup>th</sup> day of February, 2019



Attest: Pamela Borek, Borough Clerk

**SECOND READING:**

**ROLL CALL**

<b>Introduced</b>	<b>Seconded</b>	<b>Council</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
		<b>MAGNANI</b>	✓			
		<b>LUKAC</b>	✓			
		<b>PETRONE</b>	✓			
	✓	<b>SKIRKANISH</b>	✓			
✓		<b>SZABO</b>	✓			
		<b>ZAMORSKI</b>	✓			
		<b>MAYOR ONDERKO</b>				

**[ADOPTED] [DEFEATED]** this 25<sup>th</sup> day of February, 2019

Attest:



Pamela Borek, Borough Clerk