**TOWNSHIP OF EAST WINDSOR**
**MERCER COUNTY, NEW JERSEY**

**ORDINANCE NO. 2016-05**

**AN 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 the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% 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 Township Council of the Township of East Windsor in the County of Mercer finds it advisable to permit an increase of its CY 2016 budget by up to 3.5%, if necessary, over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to $630,845.88 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS,** the Township Council hereby determines that any amount authorized herein that is not appropriated as part of the final CY 2016 budget

shall be retained as an exception to final appropriations in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of East Windsor, County of Mercer and State of New Jersey as follows:

**I**

1. In the CY 2016 budget year, the final appropriations of the Township of East Windsor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to $630,845.88, and that the CY 2016 municipal budget for the Township of East Windsor be approved and adopted in accordance with this ordinance; and,

2. Any amount authorized herein that is not appropriated as part of the final CY 2016 budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

3. A certified copy of this ordinance as introduced shall be filed with the Director of the Division of Local Government Services within 5 days of introduction.

4. A certified copy of this ordinance upon adoption, with the recorded vote included thereon, shall be filed with said Director within 5 days after such adoption.

**II**

**REPEAL**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

## III
## SEVERABILITY

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

## IV
## EFFECTIVE DATE

This ordinance shall take effect twenty (20) days after the final passage and publication as required by law.

ATTEST:

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| **GRETCHEN MCCARTHY**<br>Municipal Clerk | **JANICE S. MIRONOV**<br>Mayor |

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| Introduced: | March 22, 2016 |
| Adopted: | April 19, 2016 |
| Effective: | May 12, 2016 |