

ORDINANCE NUMBER 05-2022

FIRST READING/  
INTRODUCTION: JULY 13, 2022

SECOND READING/  
PUBLIC HEARING/  
ADOPTION: AUGUST 10, 2022

**ORDINANCE**

**BOROUGH OF EAST NEWARK  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**CALENDAR YEAR 2022 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 up 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 Governing Body of the Borough of East Newark, in the County of Hudson, finds it advisable and necessary to increase its CY 2022 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 Board of Trustees hereby determines that a 3.5% increase in the budget for said year, amounting to \$30,626.02 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Governing Body 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 Governing Body of the Borough of East Newark, County of Hudson, State of New Jersey that a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2022 Budget Year, the final appropriations of the Borough of East Newark shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$107,191.10, and that the CY 2022 municipal budget for the Borough of East Newark be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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 uploaded on the FAST System for 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 uploaded on the FAST System for the Director of the Division of Local Government Services within 5 days after such adoption.

Introduction – First Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Diaz						X
Evaristo			X			
Graham			X			
Lucas	X		X			
Reis		X	X			
Zincavage						X

CERTIFICATION

I, Kevin D. Harris, Borough Clerk of the Borough of East Newark, County of Hudson, State of New Jersey, do hereby certify that this Ordinance was introduced on first reading by the Mayor and Borough Council at a public meeting of the Mayor and Borough Council held on Wednesday, July 13, 2022.

Kevin D. Harris  
Borough Clerk

Adoption – Second Reading

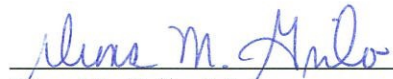
Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Diaz			X			
Evaristo	X		X			
Graham		X	X			
Lucas			X			
Reis			X			
Zincavage			X			

CERTIFICATION

I, Kevin D. Harris, Borough Clerk of the Borough of East Newark, County of Hudson, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading after a public hearing, by the Mayor and Borough Council at a public meeting of the Mayor and Borough Council held on Wednesday, August 10, 2022.

Kevin D. Harris  
Borough Clerk

Adopted:



Dina M. Grilo, Mayor

Attest:



Kevin D. Harris, Borough Clerk