

**ROCKAWAY TOWNSHIP  
COUNTY OF MORRIS, NEW JERSEY**

**ORDINANCE 23-09**

**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. 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 Township Council of the Township of Rockaway in the County of Morris 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 Township Council hereby determines that a 3.5% increase in the budget for the said year, amounting to \$332,988.11 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 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 Township Council of the Township of Rockaway in the County of Morris, 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 Township of Rockaway shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$1,165,458.39 and that the CY 2023 municipal budget for the Township of Rockaway be approved and adopted in accordance with this ordinance; and,


**BE IT FURTHER ORDAINED**, that any amount authorized herein above 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.

**CERTIFICATION**

**I HEREBY CERTIFY** the above to be a true copy of an ordinance introduced by the Township Council of the Township of Rockaway at a duly convened meeting held on March 14, 2023 and adopted at a duly convened meeting held on April 11, 2023.

  
\_\_\_\_\_  
Everett Falt, MPA, RMC, CMC  
Township Clerk

\_\_\_\_\_  
Joe Jackson             **APPROVED**  
Mayor

         **VETO(SEE ATTACHED STATEMENT)**

Approved: 

\_\_\_\_\_  
Howard Kritz  
Council President

**ORDINANCE 23-09**

**INTRODUCED        MAR 14 TWP COUNCIL REGULAR MEETING**  
**MOTION            QUINN**

**SECOND            R. BROOKES**

**ROLL CALL AYE    FRIEDLANDER, NOON, D. BROOKES, SACKETT, R.**  
**BROOKES, SALBERG, WOJTOWICZ, QUINN, PRESIDENT KRITZ**

**NAY NONE**

**ADVERTISED        MAR 20, 2023**

**ADOPTED            APR 11 TWP COUNCIL REGULAR MEETING**

**MOTION            QUINN**

**SECOND            R. BROOKES**

**ROLL CALL AYE    FRIEDLANDER, NOON, SACKETT, R. BROOKES, SALBERG,**  
**WOJTOWICZ, QUINN, PRESIDENT KRITZ**

**ADVERTISED        APR 17, 2023**