

**THE TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE NO. 11-01**

1st Reading Special Meeting 1-18-11

Date to Mayor 2-25-11

2nd Reading &  
Public Hearing 2-22-11

Date Returned \_\_\_\_\_

Date Adopted:  
2-22-11

Date Resubmitted to Council \_\_\_\_\_

Approved as to Form of Legality

Effective Date:  
3-14-11

\_\_\_\_\_  
Township Attorney

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A: 4-45.14**

First Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Hyser	X					X
Murphy	X				X	
Wollert	X					
Summiel		X				

Second Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Hyser	X					
Murphy	X				X	
Wollert	X					X
Summiel		X				
Baxter	X					

By \_\_\_\_\_ Date \_\_\_\_\_ Accepted \_\_\_\_\_ Rejected \_\_\_\_\_  
Mayor

Reconsidered  
By Council \_\_\_\_\_ Override Vote YEA \_\_\_\_\_ NAY \_\_\_\_\_

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
Municipal Clerk

TOWNSHIP OF EWING  
ORDINANCE NO. 11-01

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO 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% 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 appropriations 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 Ewing in the County of Mercer finds it advisable and necessary to increase its SFY 2011 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 said year, amounting to **\$ 1,111,906**, 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 Ewing in the County of Mercer, by a majority of the full authorized membership of this governing body affirmatively concurring, that, in the SFY 2011 budget year, the final in cap appropriations of the Township of Ewing shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to **\$ 32,880,656**, and that the SFY 2011 municipal budget for the Township of Ewing 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; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon final passage and publication according to law.

STATEMENT

This Ordinance to permit an increase in the Municipal Budget to 3.5% over the previous year's final in cap appropriations and to establish a CAP bank in accordance with law.

**I, Stephen W. Elliott, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of an Ordinance approved by the Governing Body of the Township of Ewing at a Special Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 18<sup>th</sup> day of January, 2011.**

SEAL

\_\_\_\_\_  
Stephen W. Elliott  
Municipal Clerk

