

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF KENILWORTH PROVIDING FOR A “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK 2022 (N.J.S.A. 40A:4-45.14).

WHEREAS, the Local Government Law, N.J.S.A. 40A:4-45.1 through 45.47, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget appropriations 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 (2) succeeding years; and

WHEREAS, the Municipal Council of the Borough of Kenilworth, in the County of Union, finds it advisable and necessary to increase its CY 2022 budget 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 Municipal Council of the Borough of Kenilworth hereby determines that a 1% increase in the budget for said year, amounting to \$135,033.91 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Municipal Council of the Borough of Kenilworth hereby determines that any amount authorized hereinabove that is not appropriated as part of the budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF KENILWORTH, NEW JERSEY THAT:

SECTION 1. The Borough of Kenilworth Municipal Council, by 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 Kenilworth shall in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$13,638,424.91, and that the CY 2022 Municipal Budget for the Borough of Kenilworth be approved and adopted in accordance with the ordinance.

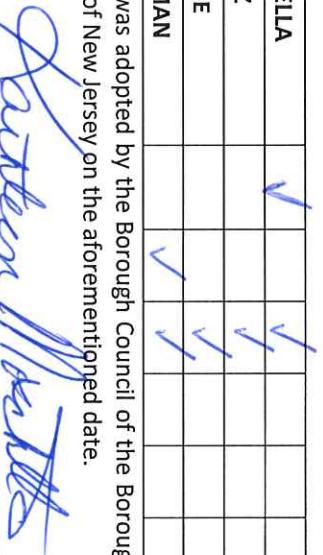
SECTION 2. That any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years.

SECTION 3. A certified copy of this ordinance as introduced, shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs within five (5) days of introduction.

SECTION 4. A certified copy of this ordinance upon adoption, with the recorded vote included thereon, shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs within five (5) days after such adoption.

SECTION 5. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

INTRODUCTION					FINAL ADOPTION						
Moved	Sec.	Aye	Nay	Abs.	NP	Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI					
		X				MARK DAVID					

X	X		JOSEPH FINISTRELLA	✓	✓		
	X		SCOTT PENTZ		✓		
			FRED PUGLIESE		✓		
	X	X	JOHN ZIMMERMAN		✓		
Introduced: July 13, 2022		I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.					
Final Adoption: August 17, 2022		 Kathleen Moschitta, Deputy Borough Clerk					

