

**TOWNSHIP OF MENDHAM  
ORDINANCE 1-2011  
AN 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 to 2.0% 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 of Mendham in the County of Morris finds it advisable and necessary to increase its CY 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 Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$95,834.52 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township of Mendham hereby determines 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.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Mendham, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Mendham shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$223,613.88 and that the CY 2011 municipal budget for the Township of Mendham 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.

Introduced: March 29, 2011

Adopted: April 11, 2011

Effective: April 14, 2011

Attest:

TOWNSHIP OF MENDHAM, IN THE  
COUNTY OF MORRIS

\_\_\_\_\_  
Ann L. Carlson, RMC, Township Clerk

By \_\_\_\_\_  
Samuel K. Tolley, Deputy Mayor

Roll Call Vote of the Governing Body on adoption of this ordinance was as follows:

Mr. Krieg	yes
Mr. Merkt	yes
Mrs. Thomas	yes
Mr. Tolley	yes
Mayor Cioppettini	absent

#### CERTIFICATION

I, Ann L. Carlson, Township Clerk of the Township of Mendham, do hereby certify the foregoing to be a true and correct copy of an ordinance adopted by the Township Committee of the Township of Mendham, County of Morris, New Jersey, at its meeting of April 11, 2011.