

**TOWNSHIP OF UPPER  
CALENDAR YEAR 2015  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**ORDINANCE NO. 005-2015**

**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 1.5% 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 Committee of the Township of Upper in the County of Cape May finds it advisable and necessary to increase its CY 2015 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 of the Township of Upper hereby determines that a 2.0 % increase in the budget for said year, amounting to **\$198,612.74** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Committee of the Township of Upper 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 Committee of the Township of Upper, in the County of Cape May a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Upper shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ **347,572.30** and that the CY 2015 municipal budget for the Township of Upper 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.

**ATTEST:**

**TOWNSHIP OF UPPER**

  
Barbara L. Young, Municipal Clerk

  
Richard A. Palombo, Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE  
WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP  
COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 9<sup>th</sup> DAY OF  
MARCH, 2015 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL  
ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF UPPER TO BE HELD ON THE 13<sup>th</sup> DAY OF APRIL, 2015 AT  
7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF UPPER.

BARBARA L. YOUNG, MUNICIPAL CLERK  
TOWNSHIP OF UPPER

**Certified as a true copy of Ordinance No. 005-2015 as introduced by the  
Township Committee of the Township of Upper at a regular meeting held on  
March 9, 2015.**

  
**Barbara L. Young, RMC  
Municipal Clerk**

Legislative History:

Introduced: March 9, 2015

Publication: March 13, 2015

Newspaper(s): The Press of Atlantic City

Second Reading & Public Hearing: April 13, 2015

Final Adoption: April 13, 2015

Final Publication Date: April 16, 2015

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on April 13, 2015 and notice of adoption was thereafter published pursuant to law in The Press of Atlantic City on April 16, 2015.

  
Barbara L. Young, Municipal Clerk