

ORDINANCE NO. 01-2023

**BOROUGH OF FRANKLIN
SUSSEX COUNTY, NEW JERSEY CALENDAR YEAR 2023
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 1.0% 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 Mayor and Council of the Borough of Franklin in the County of Sussex 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 Mayor and Council of the Borough of Franklin hereby determines that a 3.5% increase in the budget for said year, amounting to \$262,766.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council of the Borough of Franklin 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 Mayor and Council of the Borough of Franklin, in the County of Sussex, 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 Borough of Franklin shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$262,766.07, and that the CY 2023 municipal budget for the Franklin Borough 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,

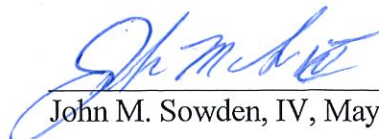
BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

BE IT FURTHER ORDAINED that this ordinance shall be applied retroactively to be applicable to the introduction and adoption of the 2023 Municipal Budget.

Attest:



Darlene J. Tremont, Municipal Clerk



John M. Sowden, IV, Mayor

NOTICE


TAKE NOTICE that the above entitled Ordinance 01-2023 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on January 12, 2023 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on February 14, 2023 at 7:00 p.m.



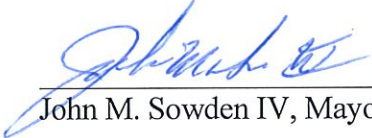
Darlene J. Tremont, Municipal Clerk

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 14th day of February, 2023.



Darlene J. Tremont, Municipal Clerk



John M. Sowden IV, Mayor

Introduced: January 12, 2023

Adopted: February 14, 2023

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X					X
RACHEL HEATH	X				X	
JOSEPH LIMON	X					
JOHN POSTAS COUNCIL PRESIDENT	X					
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X					
MAYOR SOWDEN, IV (Tie Only)						

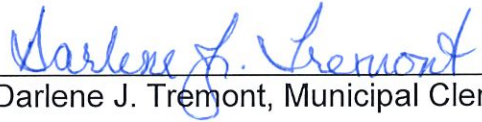
RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
JOHN POSTAS COUNCIL PRESIDENT	X					
RACHEL HEATH	X					
JOSEPH LIMON	X					
CONCETTO FORMICA	X					
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X					
MAYOR SOWDEN, IV (Tie Only)						

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

ORDINANCE #01-2023

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AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Borough Municipal Building, 46 Main Street, Franklin, NJ, on the 12th day of January, 2023, and the same came up for final passage at a meeting of the said Borough Council on the 14th day of February, 2023, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.



Darlene J. Tremont, Municipal Clerk