

**BOROUGH OF PENNINGTON  
ORDINANCE # 2025 - 7**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK IN ACCORDANCE WITH N.J.S.A. 40A: 4-  
45.14 IN THE BOROUGH OF PENNINGTON, NEW JERSEY**

**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 2.5% 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 Mayor and Council of the Borough of Pennington, Mercer County hereby determines that it is advisable and necessary to increase its CY 2025 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,

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Pennington, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Borough of Pennington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to a total increase of \$117,371.16, said amount being \$33,534.62 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, and that the CY 2025 municipal budget for the Borough of Pennington be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that the Mayor and Council of the Borough of Pennington 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.

**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 3, 2025

Advertised: March 7, 2025

Public Hearing: \_\_\_\_\_

Adoption: \_\_\_\_\_

Final Publication: \_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

\_\_\_\_\_  
James Davy, Mayor

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**RECORD OF COUNCIL VOTE ON INTRODUCTION**

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|------|------------|-----|-----|------|------|
| Angarone   | X   |     |      |      | Rubenstein | S   |     |      |      |
| Chandler   | M   |     |      |      | Stern      | X   |     |      |      |
| Marciante  | X   |     |      |      | Valenza    | X   |     |      |      |

**RECORD OF COUNCIL VOTE ON ADOPTION**

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|------|------------|-----|-----|------|------|
| Angarone   |     |     |      |      | Rubenstein |     |     |      |      |
| Chandler   |     |     |      |      | Stern      |     |     |      |      |
| Marciante  |     |     |      |      | Valenza    |     |     |      |      |