

ORDINANCE NO. 3611
INTRODUCED BY: COMMISSIONER THOMAS J. EVANS
INTRODUCED ON: APRIL 7, 2026
PUBLISHED: APRIL 8, 2026
PUBLIC HEARING: MAY 5, 2026
PUBLISHED: MAY 6, 2026

TOWNSHIP OF NUTLEY
COUNTY OF ESSEX
ORDINANCE NO. 3611

CALENDAR YEAR 2026
MODEL 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 2% 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 Board of Commissioners of the Township of Nutley in the County of County of Essex finds it advisable and necessary to increase its CY 2026 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 Board of Commissioners hereby determines that a 3.5 % increase in the budget for said year, amounting to \$1,889,620.23 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Board of Commissioners 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 Board of Commissioners of the Township of Nutley, in the County of County of Essex, State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurs, as follows:

SECTION 1. that, in the CY 2026 budget year, the final appropriations of the Township of Nutley shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$1,889,620.23, and that the CY 2026 municipal budget for the Township of Nutley be approved and adopted in accordance with this ordinance; and,

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 succeeding years; and,

SECTION 3. 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,

SECTION 4. 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.

Record of Vote	Commissioner Thomas J. Evans	Commissioner Mauro G. Tucci	Commissioner Joseph P. Scarpelli	Commissioner Alphonse Petracco	Mayor John V. Kelly, III
<i>Yes</i>	X	X	X	X	X
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					