

TOWNSHIP OF SOUTHAMPTON

ORDINANCE NO. 2020-05

AN ORDINANCE AUTHORIZING THE APPROVAL AND PAYMENT OF CLAIMS BETWEEN MEETINGS OF THE GOVERNING BODY

WHEREAS, N.J.S.A. 40A:5-17 authorizes the governing body of a municipality to permit, by Ordinance, the approval or disapproval, and payment or non-payment, of claims, bills, invoices, and purchase orders between meetings of the governing body; and

WHEREAS, given the State of Emergency recently announced by the Governor of the State of New Jersey on March 9, 2020, Executive Order 103, resulting from the Coronavirus/COVID-19 virus, as well as guidance developing daily from the New Jersey Department of Health and the U.S. Center for Disease Control, and the possibility that meetings of the governing body may have to be cancelled, rescheduled, or otherwise suspended, such that bills which are normally paid by the governing body every two (2) or four (4) weeks, may be unable to be approved by the governing body, but still need to be paid; and

WHEREAS, the procedures for "Payment of Claims" set forth in Chapter 13 of the Code of the Township of Southampton may become unavailable, infeasible or temporarily incapable of compliance, and exceptions from same need to be created; and

WHEREAS, N.J.S.A. 40A:5-17(a) & (b) establish a procedure for the payment of such claims in between meetings of the governing body, and the governing body wishes to prepare for the possibility that a situation may arise where it is unable to meet in a timely fashion to approve said payments.

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Southampton, County of Burlington, State of New Jersey, the following:

SECTION 1. Emergency Procedures Authorized. The Township Committee hereby designates the Township's Chief Financial Officer as the "Approval Officer" within the meaning of N.J.S.A. 40A:5-17(a)(1) who shall be authorized, after consultation with the Township Administrator (and in the absence of the Administrator, the Mayor, and Committee Members Liaison to the appropriate department), to approve payments of claims that would normally be considered by the Township Committee, at its regular meetings, and which must be paid in order to comply with State law and/or contractual requirements with the vendor, and which otherwise would not be able to await a meeting of the governing body, subject, nevertheless, to sufficient appropriations being available for the payments to be made; and subject further to a determination by the Approval Officer that there is legal authority for the payments, which shall be evidenced by the action of the appropriate Department or Purchasing Agent or Officer in respect to the goods or services so ordered having authorized same, and the incurring of the expense having already occurred therefore.

SECTION II. Prior to making payment on such claims, the Approval Officer shall receive the same certification as the Township Committee would receive before authorizing payment, under N.J.S.A. 40A:5-16(b), that the claims were properly incurred and should be paid.

SECTION III. Following payment of the claims, the Approval Officer shall certify same to the governing body, by providing the same list the governing body would have received had it approved said payments, which certification and list(s) shall be provided to the Township Committee for its review at the next meeting, and which shall be entered into the minutes of said meeting as having been paid.

Notwithstanding the foregoing, the Approval Officer shall not make payment upon any claim in

excess of Two Thousand Five Hundred Dollars (\$2,500.00), without having first secured verbal approval of at least a quorum of the governing body to pay said bill. This exception shall not apply to the payment of invoices for goods and/or services where the governing body has previously authorized that particular expenditure.

ARTICLE III. Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

Effective Date. This Ordinance shall take effect six months after proper passage in accordance with the law.

FIRST READING

ACTION:

Motion made by: Rafferty

Motion seconded by: Rossell

VOTE:

TOWNSHIP COMMITTEE:

Mayor Mikulski	<u>Yes</u>	No	Abstain	Not Present
Deputy Mayor Rafferty	<u>Yes</u>	No	Abstain	Not Present
Committeewoman Rossell	<u>Yes</u>	No	Abstain	Not Present
Committeeman Heston	<u>Yes</u>	No	Abstain	Not Present
Committeeman Young, Sr.	Yes	No	Abstain	<u>Not Present</u>

SECOND READING

ACTION:

Motion made by: Rafferty

Motion seconded by: Rossell

VOTE:


TOWNSHIP COMMITTEE:

Mayor Mikulski	<u>Yes</u>	No	Abstain	Not Present
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Deputy Mayor Raftery	<u>Yes</u>	No	Abstain	Not Present
Committeewoman Rossell	<u>Yes</u>	No	Abstain	Not Present
Committeeman Heston	<u>Yes</u>	No	Abstain	Not Present
Committeeman Young, Sr.	<u>Yes</u>	No	Abstain	Not Present

I, Kathleen D. Hoffman, Municipal Clerk of the Township of Southampton, County of Burlington, State of New Jersey do hereby certify this to be a true and correct version of ordinance introduced on March 24, 2020 and adopted by the Southampton Township Committee at the meeting of the body on April 21, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Township of Southampton, this 21 day of April, 2020.


 Kathleen D. Hoffman, RMC
 Municipal Administrator/Clerk