

CITY COUNCIL

The City of Orange Township, New Jersey

DATE DECEMBER 06, 2022

NUMBER 466-2022

TITLE:

RESOLUTION OF THE CITY OF ORANGE TOWNSHIP AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 AND N.J.S.A. 40A:4-48 AND AUTHORIZING THE ISSUANCE OF EMERGENCY NOTES PURSUANT TO N.J.S.A. 40A:4-51

WHEREAS, an emergency has arisen with respect to the payment as a result of a judgement in relation to the Policemen’s Benevolent Association, Local No. 89 side bar agreement (NJSBM Case No. 16-294) and no adequate provision was made in the 2022 Budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency appropriation created including this appropriation to be created by this resolution is \$2,100,000 and three percent of the total operations in the budget for the year 2022 is \$2,100,727.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Orange Township in the County of Essex (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 that:

- 1. An emergency appropriation be and the same is hereby made for:

Judgements \$475,000

- 2. That said emergency appropriation shall be provided in full in the 2023 budget.
- 3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
- 4. That an “Emergency Note” not in excess of the above amount be authorized pursuant to N.J.S.A. 40A:4-48 and in accordance with the provision of N.J.S.A. 40A:4-51.
- 5. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the City Clerk is hereby authorized to affix the seal of the City to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.
- 6. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.
- 7. That two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services.


A. M. Z. R. A. H.
CITY ATTORNEY

CITY OF ORANGE TOWNSHIP
ESSEX COUNTY, NEW JERSEY

Need of Emergency Appropriation: An emergency appropriation in the amount of \$475,000 is hereby made for the purpose of providing funds necessary to cover costs for settlement payments relating to the Policemen's Benevolent Association Side Bar Agreement. The total cost of the settlement was not a known or foreseen amount at the time of the adoption of the current calendar year's budget and an adequate provision for such cost was not made in said budget. The emergency appropriation is being made to meet a pressing need for public expenditure to protect or promote the public health, safety, morals or welfare of the citizens of the City prior to the next succeeding calendar year. Due to the fact that no adequate provision was made in the budget for the year ended December 31, 2022 for the aforesaid purpose, N.J.S.A. 40A:4-46 provides for the creation on an emergency appropriation for the aforesaid purpose.

Date of Happening: October 4, 2022

Have any contracts been awarded or purchase orders placed in connection with this emergency appropriation? No

Have any payments been made in connection with this emergency appropriation? No

If costs are in excess of \$17,500 for either labor or materials, or both, will bids be advertised for?
Not Applicable

If not, have resolutions been adopted declaring an exigency to exist which will not permit the advertisement for public bids?
Not Applicable

Will work be performed by contract, force account or otherwise?
Not Applicable

Signed _____
Title _____
Chief Financial Officer

DATE: December 6, 2022

Adopted: December 6, 2022

**Joyce Lanier
Municipal Clerk**

**Tency A. Eason
Council President**