

CITY COUNCIL**The City of Orange Township, New Jersey**DATE December 19, 2023NUMBER 517-2023

TITLE: RESOLUTION OF THE CITY OF ORANGE TOWNSHIP, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY DECLARING AN EMERGENCY AND AUTHORIZING THE WAIVER OF THE 20 DAY EFFECTIVE PERIOD FOR A \$550,000 SPECIAL EMERGENCY ORDINANCE AUTHORIZING THE CITY TO FUND CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES RESULTING FROM THE RETIREMENT OF EMPLOYEES

WHEREAS, N.J.S.A. 40A:4-53(h) of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., as amended and supplemented (the "Local Budget Law"), provides that a local unit such as the City of Orange Township, in the County of Essex, New Jersey (the "City"), may adopt an ordinance authorizing a special emergency appropriation to fund contractually required severance liabilities resulting from the retirement of employees in the City; and

WHEREAS, pursuant to N.J.S.A. 40A:4-53(h) of the Local Budget Law, the City Council of the City (the "City Council") duly adopted Ordinance No. 87-2023 (the "Ordinance") authorizing a special emergency appropriation in the amount of \$550,000 to fund the cost of contractually required severance liabilities resulting from the retirement of employees of the City; and

WHEREAS, it is a pressing need for the City and the welfare of the citizens of the City to fund the Ordinance and issue special emergency notes in the amount of \$550,000 (the "Notes") prior to or on December 31, 2023; and

WHEREAS, pursuant N.J.S.A. 40:69A-181, the City Council of the City desires to adopt a resolution to waive the twenty (20) day effective period for the Ordinance so that the Ordinance will be immediately effective on the date of adoption of the Ordinance and this resolution.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY (by not less than two-thirds (2/3) of all the members of the full governing body affirmatively concurring) THAT IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40:69A-181 AS FOLLOWS:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The City hereby declares an emergency exists requiring the payoff of contractually required severance liabilities resulting from the retirement of employees of the City. If the City is not able to issue special emergency notes to fund the severance liabilities by close of business on December 31, 2023, the City will have a reduction in its cash surplus available for inclusion in its 2024 budget. Pursuant to the Local Budget Law, the Ordinance has to be legally effective prior to the issuance of the Notes. The emergency is being declared to meet a pressing need for public


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expenditure to protect or promote the public health, safety, or welfare of the citizens of the City.

3. Pursuant to the aforementioned emergency, the City Council hereby waives the twenty (20) day effective period for the Ordinance and the Ordinance shall take effect immediately upon the adoption by the City Council, approval by the Mayor, and adoption of this resolution.

4. This resolution will take effect immediately.

Adopted: December 19, 2023

Joyce L. Lanier
Municipal Clerk

Tency Eason
Council President

CERTIFICATION

I, JOYCE L. LANIER, Clerk of the City of Orange Township, in the County of Essex, State of New Jersey, DO HEREBY CERTIFY that the annexed resolution entitled "RESOLUTION OF THE CITY OF ORANGE TOWNSHIP, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY DECLARING AN EMERGENCY AND AUTHORIZING THE WAIVER OF THE 20 DAY EFFECTIVE PERIOD FOR A \$550,000 SPECIAL EMERGENCY ORDINANCE AUTHORIZING THE CITY TO FUND CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES RESULTING FROM THE RETIREMENT OF EMPLOYEES", is a true, complete and correct copy of a resolution duly adopted by the City Council of the City at a meeting duly called and held December 19, 2023, in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout, and which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of the City Council of the City, and said resolution is a true, complete and correct copy thereof, and such resolution has not been amended, modified or repealed and is in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this _____ day of _____, 2023.

(SEAL)

JOYCE L. LANIER,
Clerk of the City of Orange Township