Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 12/14/20 06:30 PM

2020 ORDINANCE AGREEMENTS

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ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-53(m) TO FUND A DEFICIT IN OPERATIONS

WHEREAS, the Governor of the State of New Jersey (the "State") has heretofore declared a public health emergency and a state of emergency in response to the outbreak of the coronavirus disease 2019 as announced by the World Health Organization ("COVID-19"); and

WHEREAS, N.J.S.A. 40A:4-53(m) provides that a municipality may, subject to the approval of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs (the "Director"), adopt an ordinance providing for a special emergency appropriation for the funding of a deficit in operations of the Township attributable to COVID-19; and

WHEREAS, the Township of Bloomfield (the "Township") has experienced COVID-19 related revenue loss during the budget year 2020, and

WHEREAS, in order to qualify for a special emergency under the provisions of N.J.S.A. 40A:4-53, as amended by P.L. 2020, c.74, the Township must, prior to December 1, make application to the Director of the Division of Local Government Services to obtain an approval of the certification of the special emergency and the resulting deferred charge in advance of the close of budget year 2020, and

WHEREAS, the Chief Financial Officer of the Township has prepared and executed a certification in the form prescribed by the Director, a copy of which has been presented to this meeting (the "Certification"), certifying that the deficit balance anticipated to be reported on the Township's "Results of Operations" schedule of the annual financial statement for the current fiscal year is an aggregate amount equal to $4,555,000 allocated $1,375,000 to the General Fund, $965,000 to the Parking Utility Fund and $2,215,000 to the Water Utility Fund; and

WHEREAS, the Township Council, by resolution adopted on November 9, 2020 by a majority of the fully governing body, approved the Certification and the submission of the application to the Director in accordance with N.J.S.A. 40A: 4-53(m); and

WHEREAS, the Township Council now wishes to make a special emergency appropriation in accordance with N.J.S.A. 40A:4-53(m) and adopt an ordinance authorizing such special emergency appropriation in the amount of set forth above to provide for the funding of such deficit balance (the "Ordinance");

Ordinance (ID # 8964)

Meeting of December 14, 2020

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1. Pursuant to N.J.S.A. 40A:4-53(m) the Township has determined and does hereby authorize a special emergency appropriation in the aggregate amount of an aggregate amount equal to $4,555,000 allocated $1,375,000 to the General Fund, $965,000 to the Parking Utility Fund and $2,215,000 to the Water Utility Fund, subject to the approval of the Director (the "Special Emergency Appropriation").

SECTION 2. The amount to finance such Special Emergency Appropriation shall be provided for in succeeding annual budgets beginning in 2022 by the inclusion of at least 1/5 of the amount authorized pursuant to N.J.S.A.40A-53 and 40A:4-55.
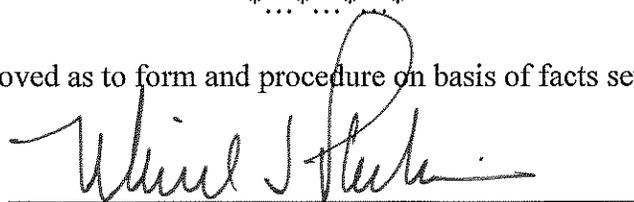
SECTION 3. The Mayor and Chief Financial Officer are each hereby authorized and directed to determine all matters in connection with the Special Emergency Appropriation not determined by this or a subsequent ordinance, all in consultation with the Township Auditor, Township Attorney or Bond Counsel, and the manual or facsimile signature of the Township's Mayor or Chief Financial Officer upon any documents shall be conclusive as to all such determinations. The Mayor, Chief Financial Officer, Clerk and any other Township Representative, including but not limited to, Bond Counsel, the Township Attorney, Township Municipal Advisor, and the Township Auditor, are each hereby authorized and directed to take such actions or refrain from such actions as are necessary to undertake the Special Emergency Appropriation, including but not limited to, the negotiation of any and all contracts, agreements and documents for the Special Emergency Appropriation, and any all such actions or inactions taken by the aforesaid Township Representatives heretofore are hereby ratified and confirmed, *nunc pro tunc*.

SECTION 4. A certified copy of this ordinance shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director").

SECTION 5. This ordinance is subject to the approval of the Director and shall become effective in accordance with law and upon approval of the Director.

* ... * ... * ... *

Approved as to form and procedure on basis of facts set forth.

_____
Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on December 14, 2020.

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Municipal Clerk of the Township of Bloomfield

Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance - Introduction – November 9, 2020						
☐ Adopt			Yes/Aye	No/Nay	Abstain	Absent
☐ Deny						
☐ Withdrawn	Jenny Mundell		☑	☐	☐	☐
☐ Table	Nicholas Joanow		☑	☐	☐	☐
☐ Not Discussed						
☑ First Reading	Sarah Cruz		☑	☐	☐	☐
☐ Table with no Vote	Wartyna Davis		☑	☐	☐	☐
☐ Approve	Ted Gamble		☑	☐	☐	☐
☐ Veto by Mayor						
☐ Discussion	Richard Rockwell		☑	☐	☐	☐
☐ Defeated	Michael J. Venezia		☑	☐	☐	☐
☐ Discussion No Vote						

✓ Vote Record – Ordinance – Final Adoption – December 14, 2020						
☐ Adopt			Yes/Aye	No/Nay	Abstain	Absent
☐ Deny						
☐ Withdrawn	Jenny Mundell		☑	☐	☐	☐
☐ Table	Nicholas Joanow		☑	☐	☐	☐
☐ Not Discussed						
☐ First Reading	Sarah Cruz		☑	☐	☐	☐
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☐ Approve	Ted Gamble		☑	☐	☐	☐
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☐ Discussion No Vote						