

ORDINANCE

ORDINANCE OF THE TOWNSHIP OF HAZLET, IN THE COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING ESTABLISHMENT FOR ELECTRONIC DISBURSEMENT CONTROLS

WHEREAS the Local Finance Board of the State of New Jersey adopted formal rules regarding "Electronic Disbursement Controls for Payroll Purposes" in order to provide formal authority for local governments to hire third-party payroll services/disbursing services to disburse funds to payroll agencies; and

WHEREAS, in order to have a payroll servicer provide disbursement services, the governing body of the Township of Hazlet must formally approve the principle of third-party having access to Township funds, formally assigning responsibility to an official to oversee the process by enacting an ordinance, and approving all contracts or extensions,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Hazlet, Monmouth County, State of New Jersey, as follows:

CHAPTER 70, "THIRD-PARTY PAYROLL DISBURSEMENT" is hereby established in the Ordinances of the Township of Hazlet.

70-1. PURPOSE

The purpose and intent of these regulations is to abide by the requirements of N.J.S.A. 52:270-20.1 and NJ.AC. 5:30-17.1 et seq., governing electronic disbursement controls for payroll purposes.

70-2. DEFINITIONS

- A. Approval Officer -person(s) responsible for authorizing and supervising the activities of the payroll service
- B. Payroll Service -Third-party payroll service organization
- C. Municipality – Township of Hazlet, Monmouth County

70-3. AUTHORIZATION

- A. Township of Hazlet, Monmouth County, is authorized to use a payroll service to prepare payment documentation, take possession of Township funds, and make such disbursements itself on behalf of the Township.
- B. The following payroll service providers shall be required to comply with these regulations;
 - (1) Payroll service providers who use their own customized programming process to execute disbursement for the Township;
 - (2) Payroll service providers who use a third-party processor to execute disbursements for the Township.

70-4. TOWNSHIP REQUIREMENTS

- A. The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq., and shall require the contractor to do the following, not by way of limitation: data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements, and/or transfer of Township funds to contractor's account for subsequent disbursement of payment.
- B. Any renewal or extension of a contract under these regulations shall be by resolution pursuant to the Local Public Contracts Law.
- C. The Chief Financial Officer is hereby appointed the approval officer and is responsible for authorizing and supervising the activities of the payroll service and shall further be charged with the reconciliation and analysis of all general ledger accounts affected by the activities of the disbursing organization.
- D. If required by the contract between the Township and the payroll service, the payroll service is permitted to hold Township funds pending transmittal to a payee.

XX-5. PAYROLL SERVICE REQUIREMENTS

- A. A payroll service must meet all of the following requirements:
 - 1. Report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty, or gross incompetence on the part of the approval officer;
 - 2. Report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the services provided to the Township.
- B. A payroll service must meet the requirements of N.J.A.C. 5:30-17.5, requiring that the approval officer be assured that the servicer has its own internal controls and appropriately guard against theft and other adverse conditions.
- C. All contracts entered into pursuant to these regulations and the laws authorizing the same shall comply with the requirements of N.J.A.C. 5:30- 17.6, which sets out a series of mandatory contractual terms and conditions.

70-6. ESTABLISHMENT OF SERVICE

Upon the adoption of these regulations, the Mayor, with the assistance of the Chief Financial Officer and the Township Attorney, as necessary is hereby authorized and directed to enter into a contract for payroll service in accordance with all local public contracting laws and N.J.A.C. 5:30-17. **Appointment of the payroll service shall be by separate resolution of the Township pursuant to the Local Public Contracts Law.**

XX-7. REPEALER

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

XX-8. SEVERABILITY

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

XX-9. EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication in accordance with the applicable law.

PUBLIC NOTICE IS HEREBY GIVEN that at a meeting of the Township Committee of Hazlet Township held on the 13th day of June 2023, the above-entitled ordinance was adopted on final passage and becomes effective with the publication of this notice.

ATTEST: Mary L. Lynch
 Municipal Clerk

ORD: 1716-23