

* Adoption -

Effective Jan 27, 2019

CITY OF UNION CITY, NEW JERSEY

ORDINANCE NO. 2018-37

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(h) TO FUND THE COSTS ASSOCIATED WITH THE PAYMENT OF CERTAIN CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES OF THE CITY OF UNION CITY, COUNTY OF HUDSON, NEW JERSEY

BACKGROUND

WHEREAS, the City of Union City, County of Hudson, New Jersey ("City") has accrued contractually required severance liabilities due and payable to certain employees of the City resulting from the retirement and/or the layoff of such employees during the 2019 fiscal year of the City; and

WHEREAS, the New Jersey Local Budget Law (N.J.S.A. 40A:4-1 et seq.) ("Local Budget Law") and, in particular Section 53(h) thereof (N.J.S.A. 40A:4-53(h)), permits local units, including the City, to adopt ordinances authorizing special emergency appropriations to fund the costs of contractually required severance liabilities resulting from the layoff or retirement of employees of such local unit; and

WHEREAS, the City has determined to fund the costs of the accrued liabilities of those employees retiring or being laid off during fiscal year 2019 through the creation of a special emergency appropriation pursuant to and in accordance with the Local Budget Law; and

WHEREAS, the amount to be appropriated by the City for the purposes described above is \$1,012,741.16; and

WHEREAS, it is the desire of the Board of Commissioners of the City to adopt this ordinance to create said special emergency appropriation.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF UNION CITY, COUNTY OF HUDSON, NEW JERSEY (NOT LESS THAN TWO—THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. There is hereby appropriated, pursuant to N.J.S.A. 40A:4-53(h), the sum of \$1,012,741.16 for the purpose of paying the contractually required severance liabilities due and owing to those employees of the City retiring or being laid off during fiscal year 2019 as further described in the preambles of this ordinance.

Section 2. The appropriation of said \$1,012,741.16 for the payment of such contractually required severance liabilities of this ordinance shall be deemed a special emergency appropriation as defined, and provided for, in N.J.S.A. 40A:4-53(h).

Section 3. Said emergency appropriation shall be financed from surplus funds currently available or from borrowed funds, pursuant to N.J.S.A. 40A:4-55; provided, however at least one-fifth (1/5th) of said amount shall be included in each succeeding annual budget until the appropriation has been fully provided for.

Section 4. A certified copy of this ordinance as finally adopted shall be filed by the City Clerk with the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs.

Section 5. All ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect immediately upon final adoption in accordance with applicable law.

Commissioners	Yea	Nay	Abstain/Present	Absent
Lucio P. Fernandez	X			
Wendy A. Grullon	X			
Celin J. Valdivia	X			
Maryury A. Martinetti				X
Mayor Brian P. Stack	X			

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on December 11, 2018 and was further considered and adopted after a Public Hearing held on December 27, 2018 at 6 PM at the Jose Marti Freshman Academy, 1800 Summit Avenue, , Union City, New Jersey.

INTRODUCED: December 11, 2018

ADOPTED: December 27, 2018

ATTEST:



Erin Knoedler
City Clerk

December 27, 2018
DATE

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The ordinance published herewith has been finally adopted by the Board of Commissioners of the City of Union City, County of Hudson, New Jersey, on December 27, 2018.



ERIN KNOEDLER, City Clerk