

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH REPEALING AND REPLACING CHAPTER 8 OF THE
CODE OF THE TOWNSHIP OF WOOLWICH ENTITLED "CLAIMS APPROVAL"**

2023-02

WHEREAS, Chapter 8 of the Code of the Township of Woolwich entitled "Claims Approval" was adopted by Ordinance 92-1 in February of 1992; and

WHEREAS, the Township of Woolwich intends to delete said Chapter and replace with the following, which better reflects statutory compliance with purchasing requirements;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Woolwich as follows:

SECTION 1.

That Chapter 8 of the Code of the Township of Woolwich entitled "Claims Approval" be and is hereby deleted in its entirety and shall be replaced with the following:

Chapter 8 Claims Approval:

A.

A purchase requisition shall be prepared and computer generated by the department head (or designee). The purchase requisition shall be forwarded to the Purchasing Agent.

B.

State bid threshold.

(1)

The Township will maintain three levels of approval to ensure proper internal controls and accountability for all purchases under the state bid threshold (set by N.J.S.A. 40A:11-1 et seq.). Level One will be approval by the department head; second approval will be by the Chief Financial Officer (CFO) or Purchasing Agent to ensure compliance with the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.), ensure sufficient funds are available and all other applicable Township policies and procedures are met. The third and final approval for all purchases below the state bid threshold shall be the Township Administrator (or his/her designee). Upon receiving (third) approval, the Purchasing Agent will prepare a purchase order, encumber the funds and deduct same from the available balance of the appropriate item.

(2)

All purchases above the state bid threshold shall be approved by the governing body by resolution.

C.

The Purchasing Agent shall sign the purchase order and return it to the department head for distribution as follows. A copy will be forwarded to the vendor which shall be signed and returned by the vendor with an invoice requesting payment from the Township.

D.

At the time an order is received, the department head or his or her designated representative shall sign the receiver certification section of the purchase order (copy one) to indicate that the quantity and quality of the commodity received complies with the specifications and/or scope of work. The department head shall then return the purchase order (copy one) to the Chief Financial Officer with the invoice and request for purchase which will constitute the payment request.

E.

On the first and third Monday of each month, a bill list shall be presented to the Township Committee for final approval. The Chief Financial Officer shall issue payment in the form of a check, which requires two signatures: the Mayor, Chief Financial Officer or Administrator/Clerk.

F.

Only the Purchasing Agent, Township Administrator, or Chief Financial Officer shall have the authority to expend Township funds via the above procedure. No other employee of the Township shall incur any liability on the part of the Township absent proper authorization as set forth in this chapter. Any liability incurred by an employee without proper authorization in accordance with the terms set forth herein will become the personal liability of that employee and not the Township's.

§ 8-2 Emergency purchase orders.

An emergency purchase shall be authorized only when circumstances require the immediate purchase or delivery of goods and services to meet an actual emergency. An emergency is defined by statute as "affecting the public health, safety or welfare that requires immediate delivery of the article or the performance of the services." See N.J.S.A. 40A:11-6. The department requesting the emergency purchase shall contact the Purchasing Agent (in the absence of the Purchasing Agent, the Chief Financial Officer or Township Administrator) to request approval. No emergency purchase shall be made without the approval of the Purchasing Agent or the Chief Financial Officer or the Township Administrator. On the next working day following the emergency request the department head shall submit a written request to the Purchasing Agent (or Chief Financial Officer) and Township Committee describing the emergency. The Purchasing Agent will then initiate the appropriate purchase order.


Inconsistency:

All Ordinances or parts of Ordinances that are inconsistent with the terms of this Ordinance are hereby repealed to the extent of their inconsistency.

Effective Date:

This Ordinance shall take effect immediately upon proper passage, publication in accordance with law and after final adoption as provided by law.

TOWNSHIP OF WOOLWICH



Craig Frederick, Mayor

ATTEST: 

Jane DiBella, Clerk

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Woolwich, held on the 17th day of January, 2023 and will be considered for final passage at a meeting of the Township Committee of the Township of Woolwich, to be held on the 6th day of February, 2023 at 6:30 p.m. at which time and place any interested party will be given the opportunity to be heard.



Jane DiBella, Township Clerk

§ 8-1 Voucher form.

claims against the Township of Woolwich for payments shall be submitted on a voucher form, to be supplied by the Chief Financial Officer, or else on a state-approved voucher form.

§ 8-2 Submission of voucher.

vouchers shall be signed by the claimant and dated and submitted no later than the third business day of the calendar week immediately preceding the meeting at which they are to be considered.

§ 8-3 Chief Financial Officer to receive vouchers.

vouchers shall be submitted to the Chief Financial Officer at his office during normal business hours.

§ 8-4 Certification of receipt.

Before vouchers are approved or to review by the Township Committee, the Chief Financial Officer's certification as to receipt of goods or services shall have been properly signed and dated.

§ 8-5 Township Committee to review vouchers.

The Township Committee shall review and approve or reject each properly signed and submitted voucher on or prior to the first and third regular meetings.

§ 8-6 Bill List.

Approval of vouchers by the Township Committee shall be evidenced by the signature of a majority of the Township Committee members present at the meeting on a Bill List, which shall be presented to the Township Committee at or before the meeting when the payment is approved. The Bill List shall state the date and number of the voucher, the name of the claimant, the amount of the claim and a brief designation of the kind of goods or type of services on which it is based. Said Bill List shall be made a part of the minutes of the Township Committee meeting. Committee members, in signing the Bill List, may note abstentions or disapproval as to particular vouchers.

§ 8-7 Payments.

Payments shall be made by check on a township account, properly signed as provided by law.

§ 8-8 Emergency purchases.

[Added 7-7-2008 by Ord. No. 2008-13]

A contract may be awarded or negotiated without public advertising for bids, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services, provided the award of the contract is made in the manner established herein.

Procedure for authorizing emergency contracts. The department head of the department wherein the emergency occurs shall notify the Township Administrator of the need for the performance of the contract, the nature of the emergency, the time of its occurrence and the need for invoking this emergency contract section of the Township Code. The department head providing the notification of emergency shall reduce the request to writing and file it with the Administrator as soon as practicable. The Township Administrator shall advise the Mayor, or, in the Mayor's absence, the Deputy Mayor, of the department head's request for an emergency contract. The Mayor, or, in his absence, the Deputy Mayor, will direct the Township Administrator whether to proceed with the emergency purchase. The Township Administrator shall then implement the procedures for undertaking the emergency purchase and, upon doing so, shall also notify the committee person who is liaison to the department wherein the emergency occurred of the need to undertake the emergency purchase. Notification of the committee person is for information purposes only; the committee person shall not participate in the procedure for determining whether to authorize an emergency contract.

Payment to contractor. Upon the furnishing of such goods and/or services in accordance with the terms of the emergency contract awarded by the Township Administrator, the contractor furnishing such goods or services will be entitled to payment therefor upon presentation of a duly executed voucher for the emergency services or purchases rendered.

Requirement of emergency circumstances. An actual or imminent emergency must exist requiring the immediate delivery of goods or the performance of services in order for the emergency contract to be awarded in accordance with this section.

Good faith or lack of foreseeability. This emergency purchase procedure may be utilized only in the event the need for goods or services could not have been reasonably foreseen or the need for such goods or services arose

services required by it.

Duration of contract. The emergency contract shall be of such limited duration as to meet only the immediate needs of the emergency. Under no circumstances shall this emergency purchasing procedure be used to enter into a multiyear contract.

Chain of command in Administrator's absence. In the event the Township Administrator, due to illness, absence, or other incapacity, is unavailable when emergency action may become necessary, then the Superintendent of the Department of Public Works shall be consulted by the department head regarding the emergency purchase. The Superintendent of the Department of Public Works shall then comply with the procedures established in this chapter for emergency purchases and act in place of the Township Administrator.

Coordination with Chief Financial Officer. The official awarding the emergency contract in accordance with this section shall coordinate his actions with the Chief Financial Officer of the Township so appropriate provision is made for funding the acquisition of emergency services or purchases.