

**THE TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE NO. 15-26**

1st Reading 7-28-15

Date to Mayor 8-13-15

2nd Reading &  
Public Hearing 8-11-15

Date Returned \_\_\_\_\_

Date Adopted:  
8-11-15

Date Resubmitted to Council \_\_\_\_\_

Approved as to Form of Legality

Effective Date:  
8-31-15

\_\_\_\_\_  
Township Attorney

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 4, ADMINISTRATION OF GOVERNMENT, ARTICLE VII: DIVISION OF FINANCE, ADDING NEW SECTION 35, PURCHASING AGENT

First Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X					
Schroth	X				X	
Steward	X					X
Wollert				X		
Keyes-Maloney	X					

Second Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter				X		
Schroth	X					
Steward	X				X	
Wollert	X					X
Keyes-Maloney	X					

By \_\_\_\_\_ Date \_\_\_\_\_ Accepted \_\_\_\_\_ Rejected \_\_\_\_\_  
Mayor

Reconsidered  
By Council \_\_\_\_\_ Override Vote YEA \_\_\_\_\_ NAY \_\_\_\_\_

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
Municipal Clerk

**TOWNSHIP OF EWING  
ORDINANCE NO. 15-26**

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 4, ADMINISTRATION OF GOVERNMENT, ARTICLE VII: DIVISION OF FINANCE, ADDING NEW SECTION 35, PURCHASING AGENT

**BE IT ORDAINED** by the Council of the Township of Ewing, County of Mercer that the code of the Township of Ewing be amended as follows:

Section 1 CHAPTER 4, ADMINISTRATION OF GOVERNMENT, ARTICLE VII: DIVISION OF FINANCE is hereby amended by adding new Section 35, PURCHASING AGENT:

**Article VII: Division of Finance**

**§ 4-25 Establishment.**

There shall be a Division of Finance within the Department of Administration, Finance and Public Works, the head of which shall be the Chief Financial Officer.

**§ 4-26 Chief Financial Officer; Appointment.**

There is hereby created the position of Chief Financial Officer, who shall be the person who is a certified municipal finance officer pursuant to all the criteria and requirements of N.J.S.A. 40A:9-140.1 et seq., as amended from time to time, and who shall carry out the responsibilities set forth in N.J.S.A. 52:27BB-26 et seq. The Chief Financial Officer shall be appointed by the Mayor and shall be qualified as set forth in N.J.S.A. 40A:9-140.1.

**§ 4-27 Municipal Financial Officer.**

[Amended 2-22-2000 by Ord. No. 00-04]

The Mayor may appoint a Municipal Financial Officer qualified pursuant to N.J.S.A. 40A:9-140.1, who shall serve a term of one year and shall have all the power, authority and duty of the Chief Financial Officer in the absence of the Chief Financial Officer.

**§ 4-28 Powers and Duties of Chief Financial Officer.**

The Chief Financial Officer shall:

- A. Receive funds entrusted to or under the control of any department and deposit all funds received in depositories authorized by the Township Council by resolution.
- B. Have custody of all investments and invested funds of the Township or in possession of the Township in a fiduciary capacity, except as otherwise provided by law, and keep such funds and all moneys of the Township not required for current operations, safely invested or deposited in interest-bearing accounts.
- C. Have the safekeeping of all bonds and notes of the Township and the receipt and delivery of Township bonds and notes for transfer, registration or exchange.
- D. Keep a full account of all cash receipts and disbursements of the Township and, at least once each month or more often if the Township Council requires, furnish the Township Council with a statement of all moneys received and expended by the Chief Financial Officer.
- E. Perform the duties of the Treasurer.

**§ 4-29 Disbursements.**

- A. Disbursements in payment of bills and demands shall be approved by the Township Council after preaudit and review and recommendation of the same by the Chief Financial Officer. All disbursements shall be made by a combination warrant-bank check or draft signed by the Chief Financial Officer and countersigned by the Mayor individually or by a signature plate.

- B. The Chief Financial Officer shall prepare for each regular meeting of the Township Council a list of all bills, claims and vouchers which have been presented through the close of business 24 hours preceding the meeting and since the last preceding list was compiled. Such list shall be prepared in sufficient copies for each member of the Township Council.
- C. Vouchers for payment shall be considered by the Township Council, which shall approve the same, except that the Council may reject any claim presented to it, stating the reason for such rejection. Any disapproved claim shall be referred back to the Chief Financial Officer with such instructions as the Council may give at the time of disapproval.

**§ 4-30 Tax Collector.**

[Amended 1-25-2005 by Ord. No. 05-04]

- A. The Tax Collector, prior to appointment, shall be qualified by training and experience in the administration of municipal tax collections and tax accounting procedures and certified by the State of New Jersey. The Tax Collector shall be appointed by the Mayor and serve a term of four years from the first day of January next following the appointment or as otherwise provided by general law.
- B. The Tax Collector is authorized to process, without further action by the governing body, the cancellation of any property tax refund of less than \$10, or any property tax delinquency of less than \$10, as well as sewer refunds of less than \$10, together with interest per fiscal year.[1]

[1]:Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 4-31 Tax Assessor.**

- A. The Township Tax Assessor shall be appointed by the Mayor for a term of four years from the first day of July next following the Assessor's appointment. The Mayor may also appoint up to three Deputy Tax Assessors, who shall assist the Tax Assessor and who shall act under the supervision of the Tax Assessor.
- B. The Tax Assessor and Deputy Tax Assessors shall hold Tax Assessor certificates as provided in N.J.S.A. 54:1-35.25 et seq., as amended from time to time, and shall meet such other qualifications as may be imposed by the State of New Jersey from time to time. The Tax Assessor and Deputy Tax Assessors shall perform the tax assessment functions as set forth in N.J.S.A. 40A:9-146 et seq., and any rules and regulations promulgated thereunder.
- C. With respect to budget, accounting controls, central purchasing practices, personnel procedures and regulations, and central data processing services, the Tax Assessor shall be subject to the general administrative procedures of the Township in accordance with N.J.S.A. 40:69A-43.

**§ 4-32 Tax Searcher.**

There shall be an Official Tax Searcher appointed by the Mayor, who shall make, or cause to be made, and certify searches for tax, water and other liens on real property as may be authorized by law and charge and collect for the use of the Township the fee required pursuant to law for any such search.

**§ 4-33 Payroll Clerk.**

- A. The Payroll Clerk shall prepare all checks and vouchers for the payment of salaries, wages and expenses to all municipal officers and employees.
- B. There shall be an account, to be designated the "Township of Ewing Payroll Account," and from time to time, the Chief Financial Officer, upon receipt of a warrant or an amount due such payroll account, shall deposit the same to the credit of the payroll account, charging the appropriate budgetary accounts therewith. Disbursement from the payroll account may be made by payroll checks signed by the Chief Financial Officer alone, or someone authorized by the Township Council to act in his stead, upon preaudit and warrant of the Chief Financial Officer and approval by the Township Council of the entire payroll.

**§ 4-34 Municipal Auditor.**

In accordance with N.J.S.A. 40A:5-4, a Municipal Auditor shall be appointed by the Mayor, with the advice and consent of the Council. The Auditor shall be appointed pursuant to a professional services resolution in accordance with the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

The Auditor shall be a registered municipal accountant and shall perform the annual audit as required by law.

**§ 4-34.1 Purchasing Agent.**

Pursuant to N.J.S.A. 40A:11-9, there is hereby created the position of Purchasing Agent for the Township of Ewing. The Purchasing Agent shall be appointed by the Mayor with the advice and consent of the Ewing Township Council. A Purchasing Agent appointed hereunder shall possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs. In accordance with N.J.S.A. 40A:11-9(g), if the person appointed hereunder no longer performs such duties, the Mayor may appoint for a period not to exceed one year commencing from the date of the vacancy, a person who does not possess a qualified purchasing agent certificate to serve as a temporary purchasing agent. Any person so appointed may, with the approval of the Director of the Division of Local Government Services, be reappointed as a temporary purchasing agent for a maximum of one additional year following the end of the first temporary appointment. No temporary purchasing agent may serve for more than two consecutive years.

The Purchasing Agent shall have, on behalf of the Council of the Township of Ewing, the authority, responsibility and accountability for the purchasing activity pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts; to administer competitive contracting processes pursuant to N.J.S.A. 40A:11-4.1 et seq.; to award contracts pursuant to New Jersey law in accordance with the regulations, forms and procedures promulgated by state regulatory agencies; and conduct any activities as may be necessary or appropriate to the purchasing function of the Township of Ewing. Unless hereafter otherwise restricted by resolution of the Governing Body, the Purchasing Agent duly appointed hereunder may negotiate and award purchases up to \$40,000, or such other threshold amount as adjusted by the Governor pursuant to N.J.S.A. 40A:11-3(c), without public advertising for bids.

Section 2 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 3 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Adopted: