

**TOWNSHIP OF WATERFORD**

**ORDINANCE NO. 2021-14**

**ORDINANCE OF THE TOWNSHIP OF WATERFORD REPEALING CHAPTER 59 CAPTIONED “PURCHASING PROCEDURES, PAYMENT OF BILLS AND PAYROLL” AND REPLACING IT WITH A NEW CHAPTER 59 CAPTIONED “PURCHASING PROCEDURES, PAYMENT OF BILLS AND PAYROLL”**

**WHEREAS**, on a periodic basis the Code of the Township of Waterford is reviewed for any updating or revision; and

**WHEREAS**, as a result, it has been determined various revisions are required to Chapter 59 Captioned “Purchasing Procedures, Payment of Bills and Payroll”; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Committee of the Township of Waterford, County of Camden, State of New Jersey, that Chapter 59 Captioned “Purchasing Procedures, Payment Of Bills And Payroll” will be repealed and replaced with a new Chapter 59 Captioned “Purchasing Procedures, Payment Of Bills And Payroll” to read as follows:

**Section 1. CHAPTER 59. PURCHASING PROCEDURES, PAYMENT OF BILLS AND PAYROLL**

**ARTICLE I. Purchasing Procedures**

§ 59-1. Applicability.

The purchasing procedure in Article I shall not apply to professional services rendered to the municipality by those individuals with professional service contracts as defined in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)

§ 59-2. Institution of system.

A purchase order system shall be instituted.

§ 59-3. Authorization required.

No employee or official of the Township of Waterford shall incur any liability on the part of the Township of Waterford unless the funds to pay for the services have been pre-encumbered through a properly executed purchase order of the Township.

§ 59-4. Emergency purchases.

In case of emergencies, work may be authorized by the appropriate department director, department head or Treasurer, but a purchase order must be obtained no later than the next working day to pre-encumber the funds to pay for these services.

§ 59-5. Designation of authorized purchaser.

The Treasurer or Qualified Purchasing Agent appointed by the Township is hereby authorized to prepare and sign purchase orders.

§ 59-6. Operation of purchasing system.

The purchase order system shall be operated as follows:

A. For all Purchase Orders under the MCSJ system, requisitions will be generated. All purchase orders will be numbered by the computer system from which they are generated. The Treasurer or Qualified Purchasing Agent appointed by the Township shall be responsible for issuing all purchase orders.

B. All purchase orders shall be signed by the Treasurer or Qualified Purchasing Agent appointed by the Township and Township Committee person(s).

C. In those cases when the goods or services which are purchased exceed a dollar amount as established by the State of New Jersey Quotation Threshold, then the Treasurer or Qualified Purchasing Agent appointed by the Township shall be responsible for obtaining two quotations, in writing from different qualified vendors for these goods and/or services in accordance with N.J.S.A. 40A:11-6.1. At the time quotations are requested, a copy of the qualified vendor's New Jersey Business Registration shall be requested and subsequently obtained with written quotations. Failure to obtain said business registration will result in a vendor's exclusion from this process.

§ 59-7. Treasurer or Qualified Purchasing Agent authority and duties.

A. The Treasurer or Qualified Purchasing Agent appointed by the Township shall compare the purchase order to the budget appropriation line item. If the balance is sufficient in the budget appropriation, he/she shall sign the purchase order.

B. The Treasurer or Qualified Purchasing Agent appointed by the Township is authorized to prepare and process for payment, without signatures of Township Committee, all statutory and contractually obligated payments (i.e., PERS, PFRS annual payments, health insurance invoices, liability insurance invoices, debt payments, property tax overpayments and all recurring monthly bill payments (i.e., utility bills). It is the intent of this section to allow the Treasurer or Qualified Purchasing Agent appointed by the Township to make timely payment of all normally occurring bills of the Township. No checks for payment of any invoices covered by this section shall be issued until duly authorized by a majority of the Township Committee voting on payment.

§ 59-8. Distribution of purchase order.

The original purchase order shall be sent to the vendor for signature. A copy of the signed purchase order shall be filed with all pertinent documentation together with the signed original when returned from the vendor.

§ 59-8.1. Qualified Purchasing Agent.

A. Position created. The position of is hereby created pursuant to N.J.S.A. 40A:11-9.

1. " Qualified Purchasing Agent" shall mean a Purchasing Agent who is the holder of a certificate issued pursuant to Section 9 of P.L. 1971, c.198 (N.J.S.A. 40A- 11-9).

2. The Qualified Purchasing Agent shall maintain all of the qualifications and shall have completed all of the training set forth in N.J.S.A. 40A:11-9.

B. Power to Award Contracts. The Qualified Purchasing Agent shall have the ability to award contracts for the providing of goods or performance of services on all quotations or bids received in excess of fifteen percent (15%) of the threshold amount specified by N.J.S.A. 40A:11-3 as per N.J.S.A. 40A:11-6.1(a) only if expressly permitted in the contract specifications. On all contracts of fifteen percent (15%) or less of the threshold amount specified by N.J.S.A. 40A:11-3 or less, the shall have the authority to award said contract on behalf of the Township utilizing the procedures set forth in the Local Public Contracts Law and this Chapter.

C. Authority to solicit bids and requests for proposals. Upon prior authorization by the Mayor and the Township Committee, the Qualified Purchasing Agent shall have the authority to solicit the following:

1. Requests for proposals for contracts between \$17,500 and \$44,000;
2. Requests for proposals for contracts for the providing of goods or the performance of services in excess of \$44,000 which are exempt from public bidding;
3. Bids for contracts which are repetitive in nature, including, but not limited to, uniform rental, radio maintenance, traffic light maintenance and solid waste collection;
4. Bids for contracts for the providing of goods or the performance of services where funding has been previously provided.

**Article II. Payment of Bills**

§ 59-9. Bill of demand.

Any person claiming payment from the Township shall present a detailed bill of demand along with a signed Township purchase order to the Treasurer or Qualified Purchasing Agent appointed by the Township on or before the second Monday preceding a scheduled meeting of the Township Committee. The certificate of claimant appearing on the purchase order must be executed prior to payment in order for the bill to be considered for payment, except for bills meeting the criteria set

forth in 59-7B. Bills received after this date shall not be processed for payment until the next month's scheduled first meeting of the Township Committee, unless a Township Committee person shall otherwise direct.

§ 59-10. Verification of services completed.

The Township shall verify that the goods or services for which a purchase order has been prepared have been provided and/or received in a satisfactory manner. Upon verification that all goods and services have been provided and/or received by the appropriate department; the department head shall sign the purchase order.

§ 59-11. Presentation of bills to governing body.

A bill list shall be presented to the Township Committee, which shall approve the same by roll call vote, except that the Township Committee may reject any bill presented, and state the reason for such rejection. Any rejected bill shall be referred to the Treasurer or Qualified Purchasing Agent appointed by the Township with such Instructions as the Township Committee may give at the time of disapproval.

§ 59-12. Verification by Township Treasurer; preparation of checks.

A. After approval by the Township Committee, the Township Treasurer shall verify all bill lists were approved prior to issuance of checks.

B. The checks shall be signed by those individuals designated as signatories with the appropriate banking institution and mailed. The purchase orders shall be kept on file in the Treasurer's office.

§ 59-13. Recording of claims.

It shall be the duty of the Township Clerk to record the total amount of all bills in the official minutes and keep a detail of all bills in a permanent file, indicating that the Township Committee has, by formal action, approved the same with appropriate records as to any claims disapproved or rejected.

§ 59-14. Claims for professional services.

A. Professional services are defined as set forth in the Local Public Contracts Law (N.J.S.A. 40A:11- 1 et seq.) and which are services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law and with whom the Township of Waterford has a professional service contract.

B. Payment for professional services shall be made in accordance with Article II of this chapter.

§ 59-15. Public advertisement for bid required.

A. The New Jersey Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) requires that individual purchases or annual cumulative purchases within a particular category of materials or

services, which in the aggregate the amount surpasses that set forth in or the amount calculated by the Governor pursuant to Section 3 of P.L. 1971, c. 198 (N.J.S.A. 40A:11-3), are required to be publicly advertised for bid.

B. A department with a category of purchases which is expected to be above the maximum amount stated above will so inform the Treasurer or Qualified Purchasing Agent appointed by the Township and assist in the preparation of specifications for bids, as necessary. Any question regarding the bid threshold amount shall be directed to the Chief Financial Officer or Township Clerk.

C. Prior to a bid being publicly advertised, the Treasurer or Qualified Purchasing Agent appointed by the Township shall receive authorization from the Township Committee.

D. After a contract has been awarded by formal resolution adopted by the Township Committee, the Treasurer or Qualified Purchasing Agent appointed by the Township shall encumber the full amount of the contract. Contract payments shall be made through the normal payment procedures.

§ 59-16. (Reserved)

§ 59-17. (Reserved)

### **Article III. Payroll**

§ 59-18. Establishment of account.

A payroll account is hereby established in the Township of Waterford. To meet Township employee payroll needs, the payroll provider shall be Paychex, Inc., which shall process payroll from input submitted to them electronically as prepared by the Township Treasurer. Upon receipt of the payroll checks, reports and direct deposit earnings statements from Paychex, Inc., the Treasurer or Qualified Purchasing Agent appointed by the Township will prepare purchase orders charging appropriate budgetary accounts. Upon receipt of the amount due, the Township Chief Financial Officer, or others as designated by Township Committee, shall have deposited, by wire transfer, this amount due to the payroll account. All payroll checks shall be signed by the individuals with signatory authority on the payroll account as established by Township Committee.

§ 59-19. Certification of payroll by department heads.

The head of each department shall certify the payroll to the Treasurer no later than 9:00 a.m. the first business day (Monday) following the close of a normal payroll period (Saturday). In the event a holiday, occurs on the normal payroll input day, certification of payroll shall be submitted not later than 9:00 a.m. of the business day preceding payroll input. Notification shall be given to each department head with sufficient time to comply.

§ 59-20. Submission to Township Committee

The Treasurer shall submit for approval to the designated Township Committee Member who is Liaison to Personnel, the necessary payroll purchase orders for the amount due to the officers and employees as compensation. The payroll shall be submitted to said Township Committee Member in the form of a Purchase Order and shall be considered in due course and approved if found to be correct. In case of error or adjustment in the payroll, the Treasurer shall promptly correct any error or make an appropriate record of the correction or adjustment.

**Article IV. Compliance**

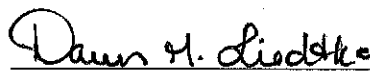
§ 59-21. Disciplinary action.

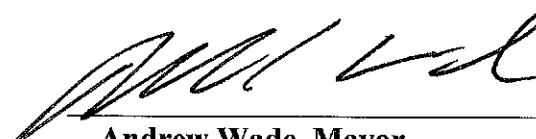
Failure to comply with the foregoing provisions of this chapter shall result in disciplinary action against any or all said individuals so failing to comply, which may include termination depending upon the severity or nature of the violation.

**Section 2.** All Ordinances or parts of Ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 3.** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a Court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance.

**Section 4.** This Ordinance shall only take effect after final adoption and publication as required by law.

  
Dawn Liedtka, RMC / CMR Clerk

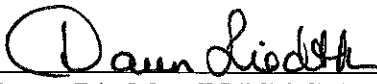
  
Andrew Wade, Mayor

Introduced: August 25, 2021  
 Public Hearing: 9/22/2021  
 Adopted: 9/22/2021

UPON INTRODUCTION ON 8/25/2021					
	GIANGIULIO	ROMOLINI	WILSON	YEATMAN	WADE
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					
UPON ADOPTION ON 9/22/2021					
	GIANGIULIO	ROMOLINI	WILSON	YEATMAN	WADE
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					

**CERTIFICATION**

I, Dawn Liedtka, Clerk of the Township of Waterford, Camden County, New Jersey, do hereby certify the foregoing to be true and exact copy of the Ordinance which was finally adopted by the Mayor and Township Committee of the Township of Waterford at a Meeting held on 22<sup>nd</sup> day of September, 2021.

  
 Dawn Liedtka, RMC / CMR Clerk