

**TOWN OF WEST NEW YORK  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**ORDINANCE #26/19**

**AN ORDINANCE AMENDING CHAPTER 39 OF  
THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED “FINANCES”**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

**WHEREAS**, Chapter 39-5, entitled “Consideration and approval by Board of Commissioners” provides the process where in claims are approved and paid by the Town; and

**WHEREAS**, Chapter 39-8, entitled “Payment” sets forth the manner in which claims are paid and the signators; and

**WHEREAS**, the Mayor and Board of Commissioners now seek to update and amend Chapters 39-5 and 39-8.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Commissioners of the Town of West New York, that Chapter 39 entitled “Finances” shall be amended as follows:

**Section One**

**Chapter 39-5 shall be deleted in its entirety and replaced as follows:**

§ 39-5 Consideration and approval by Board of Commissioners.

A list of all claims shall be presented for approval at the next regular meeting and said schedule or list shall be made available to every member of the Board of Commissioners as soon as it is closed before the claims are subject to formal action by that Board. Once they are placed on the list of claims they have undergone five phases of approval; namely, 1) initial approval authorizing purchase by Municipal Administrator, 2) certification of fund availability by Chief Financial Officer, 3) certification of proper purchasing procedure by Qualified Purchasing Agent, 4) certification of satisfactory receipt of goods and services rendered (as noted in purchase order) by the authorized designee, and, 5) certification of satisfactory claim by the Department Head. Such claims shall be considered by the Board of Commissioners, which shall finally approve the same as a governing body, except that the Board of Commissioners may reject any claim presented to it, stating the reason for such rejection. Any disapproved claim shall be referred back to the Commissioner of the department responsible for the placing of the order with such instructions as the Board of Commissioners may give at the time of disapproval.

## Section Two

**Chapter 39-8 shall be deleted in its entirety and replaced as follows:**

### § 39-8 Payment

After the Commissioner of Revenue & Finance and the Chief Financial Officer have certified that the claims have been approved for payment by the Board of Commissioners, they shall turn the same over to the Treasurer or the Chief Financial Officer, who shall forthwith prepare the necessary checks for the payment thereof. Said checks shall include two (2) of three (3) of the following signatures: the Mayor, the Commissioner of Revenue and Finance, and/or the Municipal Administrator. After preparing checks for the payment of claims, the Treasurer or other Chief Financial Officer shall record them in proper books of account and shall thereafter mail or otherwise distribute the checks to the claimants.

## Section Three

**Severability.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

## Section Four

**Repealer.** All ordinances or portions thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, or the extent of such conflict or inconsistency, it being legislative intent that all ordinances or portions of ordinances now existing or in effect shall remain in effect unless the they are in conflict or inconsistent with any provision of this Ordinance.

## Section Five

**When Effective.** This ordinance shall take effect upon passage and publication as required by law.

## SUMMARY OF ORDINANCE

This Ordinance amends Chapter 39-5 and 39-8 and updates the use of approval and payment section of the Finance Chapter of the Town of West New York

**Introduced: 11/26/2019**

### Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **November 26, 2019** and ordered published, and will be further considered before final passage at a public hearing on **December 18, 2019** at **6:30 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccio, RMC  
Town Clerk