

**CALENDAR YEAR 2014  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Municipal Council of the City of New Brunswick in the County of Middlesex finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Municipal Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$989,043.63 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Municipal Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Municipal Council of the City of New Brunswick, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the City of New Brunswick shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$2,307,768.47, and that the CY 2014 municipal budget for the City of New Brunswick be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced *be filed with the Director of the Division of Local Government Services within five days of introduction*; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, *be filed with said Director within five days after such adoption*.

**ADOPTED ON FIRST READING  
DATED: April 16, 2014**

  
Rebecca H. Escobar  
Council President

  
Daniel A. Torrissi  
City Clerk

ADOPTED ON SECOND READING  
DATED:

\_\_\_\_\_  
Rebecca H. Escobar  
Council President

\_\_\_\_\_  
Daniel A. Torrisi  
City Clerk

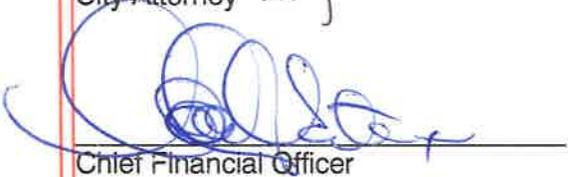
APPROVAL BY MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
James M. Cahill  
Mayor

APPROVALS:

\_\_\_\_\_  
City Administrator

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
Chief Financial Officer

COUNCILMEMBER	Y	N	NV	AB	COUNCILMEMBER	Y	N	NV	AB
ANDERSON	X				GARLATTI, M	X			
EGAN, VP	S				ESCOBAR, Pres	X			
FLEMING	X								

FIRST READING VOTE ON APRIL 16, 2014 M= MOVED S= SECOND NV= NO VOTE AB= ABSENT

**CITY OF NEW BRUNSWICK  
MIDDLESEX COUNTY**

**ORDINANCE OF THE CITY OF NEW BRUNSWICK, IN THE  
COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING  
ESTABLISHMENT FOR ELECTRONIC DISBURSEMENT  
CONTROLS.**

**WHEREAS** the Local Finance Board of the State of New Jersey adopted formal rules regarding “Electronic Disbursement Controls for Payroll Purposes” in order to provide formal authority for local governments to hire third-party payroll services/disbursing services to disburse funds to payroll agencies; and

**WHEREAS**, in order to have a payroll servicer provide disbursement services, the governing body of City of New Brunswick must formally approve the principle of third-party having access to city funds, formally assigning responsibility to an official to oversee the process by enacting an ordinance, and approving all contracts or extensions,

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of City of New Brunswick, Middlesex County, State of New Jersey, as follows:

**Chapter 2A**, “Third-Party Payroll Disbursement” is hereby established in the Municipal Administrative Code.

**2A-1 Purpose**

The purpose and intent of these regulations is to abide by the requirements of N.J.S.A. 52:27D-20.1 and N.J.A.C. 5:30-17.1 et seq., governing electronic disbursement controls for payroll purposes.

**2A-2. Definitions**

- A. Approval Officer – person(s) responsible for authorizing and supervising the activities of the payroll service
- B. Payroll Service – Third-party payroll service organization
- C. Municipality – City of New Brunswick, Middlesex County

**2A-3: Authorization**

- A. City of New Brunswick, Middlesex County, is authorized to use a payroll service to prepare payment documentation, take possession of city funds, and make such disbursements itself on behalf of the city.
- B. The following payroll service providers shall be required to comply with these regulations;
  - (1) . Payroll service providers who use their own customized programming process to execute disbursement for the city;
  - (2) . Payroll service providers who use a third-party processor to execute disbursements for the city.

**2A-4. CITY REQUIREMENTS**

- A.. The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and shall require the contractor to do the following, not by way of limitation: data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements, and/or transfer of city funds to contractor’s account for subsequent disbursement of payment.
- B. Any renewal or extension of a contract under these regulations shall be by resolution.
- C. The Chief Financial Officer is hereby appointed the approval officer and is responsible for authorizing and supervising the activities of the payroll service and shall further be charged with the reconciliation and analysis of all general ledger accounts affected by the activities of the disbursing organization.
- D. If required by the contract between the city and the payroll service, the payroll service is permitted to hold city funds pending transmittal to a payee.

**2A-5. PAYROLL SERVICE REQUIREMENTS**

- A. . A payroll service must meet all of the following requirements:
  - (1) Report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of the approval officer;
  - (2) Report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the services provided to the township.
- B. A payroll service must meet the requirements of N.J.A.C. 5:30-17.5, requiring that the approval officer be assured that the servicer has its own internal controls and appropriately guard against theft and other adverse conditions.
- C. All contracts entered into pursuant to these regulations and the laws authorizing the same shall comply with the requirements of N.J.A.C. 5:30-17.6, which sets out a series of mandatory contractual terms and conditions.

**2A-6. ESTABLISHMENT OF SERVICE**

Upon the adoption of these regulations, the City Committee, with the assistance of the Chief Financial Officer and the City Attorney, as necessary is hereby authorized and directed to enter into a contract for payroll service in accordance with all local public contracting laws and N.J.A.C. 5:30-17. **Appointment of the payroll service shall be by separate resolution of the City.**

**2A-7 REPEALER**

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

**2A-8. SEVERABILITY**

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**2A-9. EFFECTIVE DATE**

This Ordinance shall take effect upon passage and publication in accordance with the applicable law.

**ADOPTED ON FIRST READING**

DATED: April 16, 2014

  
 \_\_\_\_\_  
 REBECCA ESCOBAR  
 COUNCIL PRESIDENT

**ADOPTED ON SECOND READING**

DATED: \_\_\_\_\_, 2014

\_\_\_\_\_  
 REBECCA ESCOBAR  
 Council President

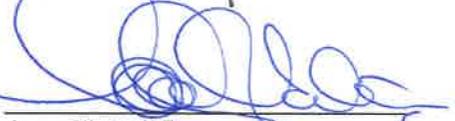
APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014

\_\_\_\_\_  
 JAMES M. CAHILL, Mayor

**APPROVALS:**

\_\_\_\_\_  
 City Administrator

  
 \_\_\_\_\_  
 City Attorney

  
 \_\_\_\_\_  
 Chief Financial Officer

COUNCILMEMBER	Y	N	AB	NV	AB	NV	AB	NV	AB
ANDERSON	X								
EGAN VP M	X								
FLEMING	X								
GARLATT S	X								
ESCOBAR, PFC	X								

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