

Ordinance #2020-47

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON CONCERNING FINANCE, TAXATION AND JOINT PURCHASING, AND AMENDING CHAPTERS 2 AND 13 OF THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND CHAPTERS 7 AND 10A OF THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, N.J.S.A. 40:43-66.35 consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to N.J.S.A. 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, the Princeton Council has reviewed the following for purposes of consolidating and harmonizing same into a single chapter applicable throughout the entire municipality:

- Chapter 13 of the "Code of the Borough of Princeton, New Jersey, 1974," entitled "Finance and Taxation;"
- Section 2-58.2 of "Code of the Borough of Princeton, New Jersey, 1974," entitled "Interlocal services agreement regarding fire protection services;" and
- Chapters 7 and 10A of the "Code of the Township of Princeton, New Jersey, 1968," entitled "Finance and Taxation" and "Joint Purchasing with Mercer County;" and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become

a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Chapter 7 of "Code of the Township of Princeton, New Jersey, 1968" ("Township Code"), entitled "Finance and Taxation," is hereby amended as follows (additions are underlined; deletions are [bracketed]):

CHAPTER 7. FINANCE AND TAXATION.

Article I. In General.

Sec. 7-1. Payroll account authorized; method of payment of compensation.

(a) At the first meeting of the mayor and council [township committee] in January of each year, there shall be approved an account to be designated the municipal [township] payroll account. From time to time the municipal chief financial officer [township treasurer], upon receipt of a warrant for the amount due the municipal [township] payroll account, shall deposit the warrant to the credit of the municipal [township] payroll account and charge the appropriate budgetary accounts therewith.

(b) The municipal chief financial officer [township treasurer] shall thereafter draw checks on the municipal [township] payroll account to the employees entitled to payment therefrom.

(c) The municipal chief financial officer [township treasurer] shall present monthly to the mayor and council [township committee] for approval warrants drawn to the order of the municipal [township] payroll account in advance for all employees whose salaries are on an annual or hourly basis when such salaries are due and payable prior to the next regular meeting of the mayor and council [township committee].

(d) At each regular meeting of the mayor and council [township committee], the municipal chief financial officer [township treasurer] shall submit for the approval or ratification, as the case may be, the necessary payrolls for the amount due the several officers and employees for compensation. The payroll shall be considered by the mayor and council [township committee] in due course and approved if found to be correct.

(e) In case of error or adjustment in the payroll, it shall be the duty of the municipal chief financial officer [township treasurer] to see that such error or adjustment is properly corrected and appropriate record made thereof.

(f) Such officers as may be designated by the mayor and council [township committee] are authorized to sign warrants drawn in favor of the payroll account upon due

notice that the appropriate payrolls have been approved by the proper committee and by the proper certifying authorities.

Sec. 7-2. Exemption of personal property from taxation.

No tangible household personal property and personal effects located within the municipality [township] shall be assessed or taxed. [This section shall apply to taxes on tangible household personal property and personal effects due and payable in the year 1962 and thereafter so long as this section shall be in effect, and shall not affect the obligation, lien or duty to pay any taxes, interest or penalties which have accrued or may accrue by virtue of any assessment made or which may be made with respect to taxes levied for any year prior to the year 1962, nor shall this section affect the legal authority to assess and collect taxes which may be or have been due and payable prior to January 1, 1962, together with such interest and penalties as would have accrued thereon under any provisions of law amended or repealed hereby; nor shall this section invalidate any assessments or affect any proceedings for the enforcement thereof pending upon the effective date of this section or upon January 1, 1962, or during the period between such dates.]

Article II. Approval and Payment of Claims.

Sec. 7-3. Procedure in presentation of claims to municipality[township].

Any person claiming payment from the municipality [township] shall present a detailed bill of demand to the municipal [township] chief financial officer, duly certified or supported by an affidavit of the claimant, as provided by section 40A:5-16 of the Revised Statutes of New Jersey.

Sec. 7-4. Certification by department heads or employees.

It shall be the duty of the municipal [township] chief financial officer to see that the signature of the officer or employee, who has been duly designated by the council [township committee] to certify that the materials have been received by or the services rendered to the municipality [township], appears on every claim, as provided by section 40A:5-16 of the Revised Statutes of New Jersey.

Sec. 7-5. Approval of claims by department head and chief financial officer; approved claims filed with municipal [township] clerk for submission of bill list to council [township committee].

After presentation to the municipal [township] clerk, claims shall be presented to the department head and chief financial officer responsible for the placing of the order who, if satisfied that the claims are proper, shall approve the claims. After such approval is given, the department head and chief financial officer shall file the claims with the municipal [township] clerk, who shall then present the claims on a bill list to the council [township committee] for formal approval at a regular meeting.

Sec. 7-6. Approval or rejection of claims by council [township committee]; referral back to municipal [township] clerk of rejected claims.

Claims as set forth on the bill list shall be considered by the council [township committee] which shall approve the same; except, that the council [township committee] may reject any claim presented to it, stating the reason for such rejection. Any disapproved claim shall be referred back to the municipal [township] clerk with such instructions as the council [township committee] may give at the time of disapproval.

Sec. 7-7. Recording disposition of claims after council [township committee] action.

It shall be the duty of the municipal [township] clerk to record all claims as set forth on the bill list in the official minutes, indicating that the council [township committee] has by formal action approved the same, with appropriate record as to any claims disapproved or rejected.

Sec. 7-8. Indication of approval by designated chief financial officer.

It shall be the duty of the chief financial officer to indicate on the claims that they have been approved for payment, with the date of approval thereof noted on the claim.

Sec. 7-9. Signing and recording checks in payment of claims; distribution of checks to claimants.

After the chief financial officer has certified that the claims have been approved, he or she shall forthwith prepare the necessary checks for the payment of the claims. The checks shall be signed by the mayor, the [township] chief financial officer, and the [township] clerk. After preparing the checks for the payment of claims, the chief financial officer shall record them in proper books of account and thereafter mail or otherwise distribute the checks to the claimants.

Article III. Tax Sale Certificate Redemptions.

Sec. 7-10. Tax sale certificate redemptions.

The tax collector shall provide to any party entitled to redeem a tax sale certificate pursuant to N.J.S.A. 54:5-54 two calculations of the amount required for redemption within a calendar year at no cost. The tax collector shall charge a fee of fifty dollars for each subsequent calculation requested within a calendar year. A request for a redemption calculation shall be made in writing to the tax collector.

The tax collector shall charge to a lien holder a fee of fifty dollars for the calculation of the amount due to redeem a tax lien. Any requests for a redemption calculation shall specify the date to be used for the calculation, which shall be the date of the notice. Neither the tax collector or the municipality [township] shall be liable for an incorrect calculation.

The fee paid to the municipality [township] by the lien holder shall not become a part of the lien and shall not be passed on to any party entitled to redeem the lien.

**Article V. Joint Purchasing and Cooperative Pricing Agreements with Mercer
County**

Sec. 7-11. Joint purchasing agreement.

(a) Legislative findings; purpose. The mayor and council find that economies in the purchase of work, materials and supplies may be expected through the municipality's participation in large volume purchasing on behalf of two or more public agencies. It is, therefore, the purpose of this section to achieve such economies by authorizing the municipality the continuation of participation in such joint purchasing pursuant to N.J.S.A. 40A:11-10 et seq. Prior agreements between the former Township of Princeton and Borough of Princeton are hereby ratified and continued to the extent not inconsistent herewith.

(b) Terms and conditions. The municipality hereby agrees with the county that the purchase of work, materials and supplies for use by their respective jurisdictions and by such other contracting units as shall lawfully enter into similar agreements shall be accomplished under the following terms and conditions:

(1) This agreement shall apply only to such work, materials and supplies, which shall conform to such specifications, as shall from time to time by resolution be designated by the county and approved by the municipality.

(2) The county shall cause advertisements for bids to be made as required by law and shall open bids and notify the municipality of the amounts thereof. All administrative costs incurred by the county in connection therewith, including the cost of advertising, shall be borne by the county without reimbursement from the municipality.

(3) The municipality shall award contracts for work, materials and supplies for its own use, and such awards shall be to the same successful bidders at the same net unit prices as are awards by the county for the county's requirements. However, the municipality shall have the right, after receiving notice of the bids in any instance, not to make any award thereon and to purchase its requirements from any other source and in any other lawful manner.

(4) All payments for work, materials and supplies for the municipality's own use shall be made directly to the suppliers by the municipality in accordance with awarded contracts, and the county shall not be liable for any such payment.

(5) All contracts shall be subject to all applicable terms and conditions of N.J.S.A. 40A:11-1 et seq.

(c) Joint purchasing agent. The purchasing agent of the county is hereby designated as the joint purchasing agent of the county and the municipality, and of such other contracting units as shall lawfully make such designations, for the purpose of advertising for, receiving and administering bids and making reports, in accordance with N.J.S.A. 40A:11-11 and 40A:11-23. The joint purchasing agent so designated shall perform its duties without cost to the municipality.

Sec. 7-12. Cooperative pricing agreement.

(a) Preamble. The municipality of Princeton wishes to continue its cooperative pricing agreement with the County of Mercer, the County of Mercer to act as lead agency in connection with the purchasing of certain services, materials and supplies.

Said agreement is authorized by the provisions of N.J.S.A. 40A:11-11(5).

(b) Authorization to execute agreement. The mayor and clerk are hereby authorized to execute a cooperative pricing agreement with the County of Mercer or any of its contracting units within the county, to act as lead agency for the purchase of certain services, materials and supplies as stipulated in said agreement. The County of Mercer and/or any of its contracting units within the county shall be responsible for complying with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and all other necessary provisions of the revised statutes of the State of New Jersey in connection with any contracts it enters into on behalf of the municipality. Prior agreements between the former Township of Princeton and Borough of Princeton are hereby ratified and continued to the extent not inconsistent herewith.

Section 2. Chapter 10A of the Township Code, entitled “Joint Purchasing with Mercer County,” is hereby repealed.

Section 3. The following provisions of the "Code of the Borough of Princeton, New Jersey, 1974" (“Borough Code”) are hereby repealed:

- Section 2-58.2, entitled “Interlocal services agreement regarding fire protection services;”
- Division 3 of Article IV, entitled “Payment of Bills and Claims” (comprised of sections 2-59 through 2-65); and
- Chapter 13, entitled “Finance and Taxation.”

Section 4. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 6. The provisions of this ordinance shall be applicable within Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted.

Delores A. Williams, Clerk

Liz Lempert, Mayor

Ordinance Introduced:

Ordinance Adopted:

This ordinance is part of the ongoing process of merging and harmonizing the code provisions of former Princeton Borough and former Princeton Township into a new code for the consolidated municipality of Princeton. It consolidates the existing provisions from the Borough and Township Codes regarding finance, taxation and joint purchasing with Mercer County into a single chapter that applies throughout the consolidated municipality.