

**CITY OF ENGLEWOOD
ORDINANCE NUMBER 20-08**

**ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE
COUNTY OF BERGEN, STATE OF NEW JERSEY
PROVIDING FOR A SPECIAL EMERGENCY
APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-53(m)
TO FUND A DEFICIT IN OPERATIONS**

WHEREAS, the Governor of the State of New Jersey (the "State") has heretofore declared a public health emergency and a state of emergency in response to the outbreak of the coronavirus disease 2019 as announced by the World Health Organization ("COVID-19"); and

WHEREAS, N.J.S.A. 40A:4-53(m) provides that a municipality may, subject to the approval of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs (the "Director"), adopt an ordinance providing for a special emergency appropriation for the funding of a deficit in operations of the City attributable to COVID-19; and

WHEREAS, the City of Englewood (the "City") has experienced COVID-19 related revenue loss during the budget year 2020, and

WHEREAS, in order to qualify for a special emergency under the provisions of N.J.S.A. 40A:4-53, as amended by P.L. 2020, c.74, the City must, prior to December 1, make application to the Director of the Division of Local Government Services to obtain an approval of the certification of the special emergency and the resulting deferred charge in advance of the close of budget year 2020, and

WHEREAS, the Chief Financial Officer of the City has prepared and executed a certification in the form prescribed by the Director, a copy of which has been presented to this meeting (the "Certification"), certifying that the deficit balance anticipated to be reported on the City's "Results of Operations" schedule of the annual financial statement for the current fiscal year is an aggregate amount equal to \$1,100,000; and

WHEREAS, the City Council, by resolution adopted on December 8, 2020 by a majority of the fully governing body, approved the Certification and the submission of the application to the Director in accordance with N.J.S.A. 40A: 4-53(m); and

WHEREAS, the City Council now wishes to make a special emergency appropriation in accordance with N.J.S.A. 40A:4-53(m) and adopt an ordinance authorizing such special emergency appropriation in the amount of set forth above to provide for the funding of such deficit balance (the "Ordinance");

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY OF ENGLEWOOD, COUNTY OF BERGEN, STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1. Pursuant to N.J.S.A. 40A:4-53(m) the City has determined and does hereby authorize a special emergency appropriation in the aggregate amount of an aggregate amount equal to \$1,100,000, subject to the approval of the Director (the "Special Emergency Appropriation").

SECTION 2. The amount to finance such Special Emergency Appropriation shall be provided for in succeeding annual budgets beginning in 2022 by the inclusion of at least 1/5 of the amount authorized pursuant to N.J.S.A.40A-53 and 40A:4-55.

SECTION 3. The Mayor and Chief Financial Officer are each hereby authorized and directed to determine all matters in connection with the Special Emergency Appropriation not determined by this or a subsequent ordinance, all in consultation with the City Auditor, City Attorney or Bond Counsel, and the manual or facsimile signature of the City's Mayor or Chief Financial Officer upon any documents shall be conclusive as to all such determinations. The Mayor, Chief Financial Officer, Clerk and any other City Representative, including but not limited to, Bond Counsel, the City Attorney, City Municipal Advisor, and the City Auditor, are each hereby authorized and directed to take such actions or refrain from such actions as are necessary to undertake the Special Emergency Appropriation, including but not limited to, the negotiation of any and all contracts, agreements and documents for the Special Emergency Appropriation, and any all such actions or inactions taken by the aforesaid City Representatives heretofore are hereby ratified and confirmed, *nunc pro tunc*.

SECTION 4. A certified copy of this ordinance shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director").

SECTION 5. This ordinance is subject to the approval of the Director and shall take effect twenty (20) days after the first publication thereof after final adoption.

**ADOPTED ON FIRST READING
DATED: DECEMBER 8, 2020**

**Yancy Wazirmas,
Clerk of the City of Englewood**

**ADOPTED ON SECOND READING
DATED: DECEMBER 22, 2020**

**Yancy Wazirmas,
Clerk of the City of Englewood**

ORDINANCE NO. 20-08

ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-53(m) TO FUND A DEFICIT IN OPERATIONS

RECORD OF VOTE

FIRST READING DATE: December 8, 2020

COUNCIL	MOTION	VOTE
Cobb		Y
Cohen		Y
Glynn		Y
Hamer	X	Y
Rosenberg		AB

DATE PUBLISHED IN THE RECORD: December 12, 2020

DATES PUBLIC HEARINGS HELD: December 22, 2020

DATE SECOND READING HELD: December 22, 2020

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Cobb		Y		Y		Y
Cohen		Y		Y		Y
Glynn		Y		Y		Y
Hamer	X	Y	X	Y	X	Y
Rosenberg		Y		Y		Y

Y=YES

N=OPPOSED

A=ABSTAINED

AB=ABSENT

PRESENTED TO MAYOR: December 23, 2020

APPROVED

REJECTED (VETO)

DATE SIGNED 12/30/2020

Mayor Michael Wildes
MAYOR MICHAEL WILDES

I do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted and approved by the Mayor and Council of the City of Englewood.

Yancy Wazirmas
Yancy Wazirmas, RMC, City Clerk