



## Legislation Text

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File #: 23-0644, Version: 1

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**Dept/ Agency:** Economic and Housing Development

**Action:** (X) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** 2023 Annual Budget for Mt. Prospect Avenue Neighborhood Improvement District Management Corporation (MPANID)

**Purpose:** Introduction of the 2023 Annual Budget for the Mt. Prospect Avenue Neighborhood Improvement District.

**Amount:** \$505,000.00

**Budget Period:** January 1, 2023 through December 31, 2023

**Additional Information:**

Ordinance 6S&Ff adopted on June 20, 2007 created the Mt. Prospect Avenue Neighborhood Improvement District.

**WHEREAS**, by Ordinance 6S&Ff, adopted June 20, 2007, the Mayor of the City of Newark and the Municipal Council created and designated within the City of Newark, a Special Improvement District, authorized pursuant to N.J.S.A. 40:56-65 et seq., to be known as the Mt. Prospect Avenue Neighborhood Improvement District (“Mt. Prospect District”) to provide supplemental services within the District and collect a special assessment on all affected property within the District, which assessments shall be collected by the City of Newark, for the purpose of promoting the economic and general welfare of the District and the municipality; and

**WHEREAS**, pursuant to Ordinance 6S&Ff, adopted on June 20, 2007, the Mayor of the City of Newark and the Municipal Council designated a non-profit corporation, the Mt. Prospect Avenue Neighborhood Improvement District Management Corporation, (“Mt. Prospect Management Corporation”) to serve as the management and operating organization; and

**WHEREAS**, the Mt. Prospect Management Corporation provides administrative and other services to benefit businesses, employees, residents, visitors and consumers in the District and shall have all powers necessary and requisite to effectuate the purposes of Ordinance 6S&Ff adopted on June 20, 2007, and the Mt. Prospect District; and

**WHEREAS**, in accordance with N.J.S.A. 40:56-80 and the provisions of Ordinance 6S&Ff adopted on June 20, 2007, the Mt. Prospect Management Corporation must prepare an annual budget that includes an estimate of the annual costs of operating the District, including a summary of the categories of cost property chargeable as follows:

- (1) the amount of such costs to be charged against the general funds of the municipality, which shall be that amount which the municipality would pay from its general funds for street maintenance and operation on a street of similar size and location, but not improved in a special improvement district; and
- (2) the costs charged and assessed against properties within the District in proportion to

the benefits conferred by the annual improvement; and

- (3) the amount of costs, if any, to be specially taxed against properties in the District; and

**WHEREAS**, upon receipt of the budget, the Municipal Council is required to consider the budget, approve the budget, schedule a public hearing and adopt the budget with such amendments as the Governing Body considers necessary to operate and maintain the District during the ensuing fiscal year; and

**WHEREAS**, upon approval of the budget, the Tax Assessor must comply with N.J.S.A. 40:56-81(c) including, but not limited to, preparing an assessment roll setting forth separately the amounts to be specially assessed against the benefited and assessable properties in the District; and

**WHEREAS**, the estimated annual budget for the 2023 calendar year (January 1, 2023 through December 31, 2023) is in the amount of Five Hundred Five Thousand Dollars and Zero Cents (\$505,000.00), for the District was unanimously approved by the Mt. Prospect Management Corporation's Board of Directors at a meeting held on March 20, 2023; and

**WHEREAS**, the amount anticipated to be raised by the special assessments to support the Budget of the District is estimated to be Three Hundred Thirty Thousand Dollars and Zero Cents (\$330,000.00) and shall be paid quarterly to the Mt. Prospect Management Corporation in installments of 25% of the total estimated assessments for FY 2023.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The estimated annual budget for the 2023 calendar year (January 1, 2023 through December 31, 2023), in the amount of Five Hundred Five Thousand Dollars and Zero Cents (\$505,000.00), for the Mt. Prospect Avenue Neighborhood Improvement District Management Corporation ("Mt. Prospect Management Corporation"), attached hereto, as approved by the Mt. Prospect Management Corporation's Board of Directors at a virtual meeting held on March 20, 2023, is hereby introduced, ratified and approved, subject to a public hearing prior to adoption, in accordance with provisions of Ordinance 6S&Ff adopted on June 20, 2007, and as set forth in N.J.S.A. 40:56-80 and N.J.S.A. 40:56-84.

2. The budget is ratified from January 1, 2023 until the date of the adoption by the Municipal Council.

3. The Tax Assessor is directed to do the following:

- (a) Prepare an assessment roll specifying the amounts specifically assessed against each benefitted and assessable property in the District in proportion to the benefit conferred, based upon the approved budget in accordance with the procedures prescribed in N.J.S.A. 40:56-80(c); such assessment roll shall include a description of each property and the names of the owners; and

- (b) File the assessment roll in the Office of the City Clerk to be available for public inspection.

4. The Department of Economic and Housing Development is directed to do the following:
  - (a) Schedule a public hearing on the budget and the amount of the assessments not less than twenty-eight (28) days from the date of this Resolution; and
  - (b) At least ten (10) days prior to the date of the public hearing publish:
    - (i) a notice setting the time and place of the public hearing on the budget and amounts of the special assessments; and
    - (ii) a copy of the entire budget in a newspaper of general circulation in the City of Newark; and
  - (c) At least ten (10) days before the date of the scheduled hearing
    - (i) post a complete copy of the approved budget in City Hall in the customary location for posting public notices; and
    - (ii) make available a copy of the budget to any person(s) requesting it up to and including the date of the public hearing.
5. Upon approval of the assessment roll with any changes approved by the Municipal Council, the City Clerk shall immediately certify a copy of the assessment roll to the County Tax Board to be effective as of January 1, 2023.
6. The amount anticipated to be raised by the special assessments to support the annual budget of the Mt. Prospect Management Corporation for the 2023 calendar year (January 1, 2023 through December 31, 2023) is estimated to be Three Hundred Thirty Thousand Dollars and Zero Cents (\$330,000.00). Said total estimated amount of the special assessments set forth in the estimated and approved budget shall be paid over to the Mt. Prospect Management Corporation in installments of 25% of the total estimated assessments on quarterly basis.
7. The Department of Economic Housing and Development will file a certified copy of this Resolution with the Office of the City Clerk.
8. The Office of the City Clerk shall forward certified copies of this Resolution to the Business Administrator, the Director of the Department of Finance and the Tax Collector.

### **STATEMENT**

This Resolution introduces, ratifies and approves the annual budget of the Mt. Prospect Avenue Neighborhood Improvement District Management Corporation ("Mt. Prospect Management Corporation") in the estimated amount of \$505,000.00 for the 2023 calendar year (January 1, 2023 through December 31, 2023), subject to a public hearing prior to adoption, in accordance with provisions of Ordinance 6S&Ff, adopted on June 20, 2007, and as set forth in N.J.S.A. 40:56-80 and

N.J.S.A. 40:56-84. The amount anticipated to be raised by the special assessments to support the annual budget of the Mt. Prospect Management Corporation for the 2023 calendar year (January 1, 2023 through December 31, 2023) is estimated to be \$330,000.00. The Department of Economic and Housing Development will publically advertise the budget and schedule a public hearing and direct the Tax Assessor to prepare an assessment roll of the properties within the district based upon the budget.