



Legislation Text

File #: 21-0934, Version: 1

Dept./ Agency: Economic and Housing Development

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

Type of Service: Amending Resolution 7R2-e(S) adopted on May 25, 2021 to correct the 2021 Annual Budget amount for the Ironbound Business Improvement District (IBID)

Purpose: Amendment to correct the budget amount for the 2021 Budget Year from \$920,000.00 to \$940,000.00.

Amount: \$940,000.00

Budget Period: January 1, 2021 through December 31, 2021

Additional Information:

Resolution 7R2-e(S) adopted on May 25, 2021 authorized the original 2021 Annual Budget Introduction for the Ironbound Business Improvement District (IBID).

WHEREAS, on March 6, 2013, the Municipal Council adopted Ordinance 6PSF-b (the "Ordinance"), which repealed Ordinance 6S&Fn adopted on November 13, 2000, and Ordinance 6S&Fc adopted on May 7, 2003, and created and designated within the City of Newark a Special Improvement District pursuant to N.J.S.A. 40:56-65 et seq., to be known as the Ironbound Business Improvement District ("District"), and designated a District Management Corporation to create an expanded district and to change regulations for the operation of the Business Improvement District within the City of Newark as authorized pursuant to N.J.S.A. 40:56-65 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40:56-80, the District 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;
- (2) the costs charged and assessed against properties within the District in proportion to the benefits conferred by the annual improvement;
- (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. 40:56-80(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, on May 25, 2021, the Municipal Council adopted Resolution 7R2-e(S) (“Original Resolution”), which introduced the proposed annual budget of the District for the Fiscal Year 2021 (January 1, 2021 through December 31, 2021) (“FY 2021”), in the amount of Nine Hundred Twenty Thousand Dollars and Zero Cents (\$920,000.00) and directed the Department of Economic and Housing Development to schedule a public hearing on the budget as required under N.J.S.A 56-84; and

WHEREAS, it was discovered that the Original Resolution inadvertently referenced the FY2021 Budget for the District as Nine Hundred Twenty Thousand Dollars and Zero Cents (\$920,000.00) instead of Nine Hundred Forty Thousand Dollars and Zero Cents (\$940,000.00), which is consistent with the actual budget and documentation submitted and attached hereto; and

WHEREAS, the Municipal Council wishes to correct the Original Resolution to reflect the correct annual budget for the calendar year 2021 (January 1, 2021 through December 31, 2021) for the District as Nine Hundred Forty Thousand Dollars and Zero Cents (\$940,000.00).

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

1. Resolution 7R2-e(S), adopted on May 25, 2021, is hereby amended to correct the budget amount from Nine Hundred Twenty Thousand Dollars and Zero Cents (\$920,000.00) to Nine Hundred Forty Thousand Dollars and Zero Cents (\$940,000.000) for the Ironbound Business Improvement District.

2. The budget is ratified back to January 1, 2021, from the date of the adoption of this authorizing resolution.

3. All other parts of Resolution 7R2-e(S), adopted on May 25, 2021, shall remain the same.

4. The Department of Economic and Housing Development shall file a certified copy of this resolution with the Office of the City Clerk.

5. The Office of the City Clerk shall forward certified copies of this resolution to the Business Administrator, the Deputy Mayor/Director of the Department of Economic and Housing Development and the Director of the Department of Finance and the Tax Collector.

STATEMENT

This resolution amends Resolution 7R2-e(S), adopted on May 25, 2021, to amend the Annual Budget for the calendar year 2021 (January 1, 2021 through December 31, 2021) for the Ironbound Business Improvement District to correct the Annual Budget from \$920,000.00 to \$940,000.00. The balance of the Original Resolution shall remain the same and subject to a public hearing prior to adoption, in accordance with provisions of Ordinance 6PSF-b, adopted on March 6, 2013, and as set forth in N.J.S.A. 40:56-80 and N.J.S.A. 40:56-84.

