



Legislation Details (With Text)

File #: 13-0923 **Version:** 1 **Name:** Dedicated Trust by Rider for a Street/Sidewalk Account
Type: Resolution **Status:** Filed
File created: 6/6/2013 **In control:** Engineering
On agenda: 7/3/2013 **Final action:** 7/3/2013
Title: Dept/ Agency: Engineering
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Authority to Establish a Dedication by Rider Trust
Purpose: Resolution requesting approval of the Director of the Division of Local Government Services to establish a Dedication by Rider Trust for a Street/Sidewalk Account to be specifically used for restoration, street paving, sidewalk construction, and street/sidewalk emergency repairs
Additional Information:

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/3/2013	1	Municipal Council	Adopt	Pass

Dept/ Agency: Engineering

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Additional Information:

WHEREAS, permission is required of the Director of the Department of Community Affairs, Division of Local Government Services, for approval to establish a Dedication by Rider Trust for revenues received by a municipality when the revenue is not a subject to reasonable accurate estimate in advance; and

WHEREAS, N.J.S.A.40A:4-39, provides that the Director of the Division of Local Government Services may approve the expenditures of money by Dedication by Rider Trust; and

WHEREAS, Municipal Ordinance No. 6PhS&FF adopted May 21, 2008 authorized the Director of Finance to do the following:

1. Place all Restoration Permit fee deposits were not claimed prior to January 1, 2005, to be transferred from the Street and Sidewalk Obstruction Fund Account to a new Street/Sidewalk Account to be specifically used for restoration, street paving, sidewalk construction, and street/sidewalk emergency repairs; and

2. Place all other Restoration Permit fee deposits that have not been claimed for refund or an extension granted after a year from the date the permit was issued, to be transferred from the Street and Sidewalk Obstruction Fund Account to a new Street/Sidewalk Account to be specifically used for restoration, street paving, sidewalk construction, and street/sidewalk emergency repairs; and

3. Place all restoration permit deposits for person(s) who have not restored their street/sidewalk according to specifications, to be transferred from the Street and Sidewalk Obstruction Fund Account to a new Street/Sidewalk Account to be specifically used for restoration, street paving, sidewalk construction, and street/sidewalk emergency repairs.

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

1. The Mayor and/or his designee, the Director of Finance, is hereby authorized by the Municipal Council of the City of Newark to request permission of the Director of the Division of Local Government Services for the approval to establish a Dedication by Rider Trust for a Street/Sidewalk Account for unclaimed restoration permit fee deposits and restoration permit fee deposits for person(s) who have not restored their street/sidewalk according to specifications, pursuant to Municipal Ordinance No. 6PhS&FF adopted May 21, 2008.
2. The funds will exclusively be used to pay for restoration, street paving, sidewalk construction, and street/sidewalk emergency repairs.
3. The Municipal Clerk of the City Of Newark is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services, Department of Community Affairs.

STATEMENT

This resolution is requesting approval of the Director of the Division of Local Government Services to establish a Dedication by Rider Trust for a Street/Sidewalk Account to be specifically used for restoration, street paving, sidewalk construction, and street/sidewalk emergency repairs, pursuant to Municipal Ordinance No. 6PhS&FF adopted May 21, 2008.