



Legislation Text

File #: 14-2015, Version: 1

Dept/ Agency: Economic & Housing Development

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

Type of Service: 2015 Annual Budget for Mt. Prospect Avenue Neighborhood Improvement District Corporation

Purpose: Introducing and Approving Mt. Prospect Avenue Neighborhood Improvement District Annual Budget for the 2015 calendar year

Amount: \$282,510.00)

Budget Period: January 1, 2015 through December 31, 2015

Additional Information:

Ordinance 6S&FF062007 created the Mt. Prospect Avenue Neighborhood Improvement District

WHEREAS, by Ordinance 6S&FF, adopted June 20, 2007, the Mayor 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 ("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 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 the Ordinance 6S&FF, adopted on June 20, 2007, and the 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 2015 calendar year (January 1, 2015 through December 31, 2015), is in the amount of \$282,510.00 for the District, attached hereto as Exhibit A, was unanimously approved by the Mt. Prospect Management Corporation's Board of Directors through electronic voting on November 13, 2014; and

WHEREAS, the amount anticipated to be raised by the special assessments to support the Budget of the District is estimated to be \$282,510.00 and shall be paid over to the Mt. Prospect Management Corporation in installments of 25% of the total estimated assessments quarterly.

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

1. The estimated annual budget for the 2015 calendar year (January 1, 2015 through December 31, 2015), in the amount of \$282,510.00, for the Mt. Prospect Avenue Neighborhood Improvement District ("District"), attached hereto as Exhibit A, as approved by the Mt. Prospect Management Corporation's Board of Directors through electronic voting on November 13, 2014, is hereby introduced 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 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.

3. The City Clerk 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 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.

4. The amount anticipated to be raised by the special assessments to support the annual budget of the Mt. Prospect Management Corporation for the 2015 calendar year (January 1, 2015 through December 31, 2015) is estimated to be \$282,510.00. 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 quarterly.

5. The Office of the City Clerk shall forward certified copies of this resolution to the Assistant Business Administrator, the Acting Director of Finance and the Office of Tax Collector.

6. A certified copy of this resolution will be filed with the Office of the City Clerk.

STATEMENT

This resolution (1) Introduces and approves the annual budget of the Mt. Prospect Avenue Neighborhood Improvement District Corporation in the estimated amount of \$282,510.00 for the 2015 calendar year (January 1, 2015 through December 31, 2015), 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) Directs the City Clerk to publically advertise the budget and schedule a public hearing; and (3) Directs the Tax Assessor to prepare an assessment roll of the properties within the district based upon the budget