

TOWNSHIP OF HARDYSTON

ORDINANCE NO. 2019-06

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING A SPECIAL ASSESSMENT FOR IMPROVEMENTS TO THE FIRE SUPPRESSION SYSTEM LOCATED WITHIN THE NORTH CHURCH TECHNICAL CENTER COMMUNITY AT PARK DRIVE

WHEREAS, the North Church Technical Center was developed with a water system to provide fire suppression; and

WHEREAS, over time, concerns have been raised regarding the longevity of the water system, and the ability to provide fire suppression services to existing facilities and to those who may in the future warrant or construct their own building or uses, which development(s) would require fire suppression services; and

WHEREAS, in order to address concerns about public safety raised by the condition of the fire suppression water system and the general public in the vicinity of the North Church Technical Center, the Township is undertaking an improvement project of the North Church Technical Center Community fire suppression water system and the benefit of the project will be assessed to those properties that benefit from the improvements pursuant to N.J.S.A. 40:56-1 *et seq.*; and

WHEREAS, pursuant to state statutes, the special assessment repayment will be over a ten (10) year period; and

WHEREAS, the final costs of the project will not be determined until the water system improvement project is complete.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Hardyston, County of Sussex, State of New Jersey, as follows:

SECTION 1. The assessments levied under this Ordinance shall include, to the extent fair and equitable, reasonable and necessary costs incurred in connection with

the North Church Technical Center Community fire suppression water system improvement project, including but not limited to the cost of the improvements, administrative costs, any associated interest for late payments and other charges imposed in connection therewith, as provided under N.J.S.A. 40:56-1 *et seq.*

SECTION 2. The Township Clerk shall cause a notice of this proposed assessment to be mailed to the owner(s) of real estate impacted by the special assessment prior to the commencement of the North Church Technical Center Community fire suppression water system improvement project. The notice shall contain a description of the property impacted sufficiently to identify it. Such notice shall be served in accordance with the law and proof of service shall be filed with the tax office within ten (10) days after such service. The affected property owners are:

Block	Lot	Address	Owner
62	18.01	1 Park Drive	Four Winds Industrial Park, LLC
62	18.08	15 Park Drive	Edward F. Boscia
62	18.09	17 Park Drive	All County Energy, LLC*
62	18.10	19 Park Drive	KAW, LLC/NSAP
62	18.12	16 Park Drive	Fairfield Commercial Properties Corp.
62	22.01	8 Park Drive	Sussex Land, LLC

* This property owner will not require an immediate connection to the fire suppression water system and, accordingly, the assessment shall be half of the assessment assigned to the remaining affected property owners.

SECTION 3. The special assessment assessed against each impacted property shall constitute a first and paramount lien as provided for in N.J.S.A. 40:56-33.

SECTION 4. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 5. All ordinances or parts of ordinances which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. This Ordinance may be renumbered for purposes of codification.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON.

ATTEST:

JANE BAKALARCZYK
TOWNSHIP CLERK

LESLIE G. HAMILTON
MAYOR

NOTICE

PLEASE TAKE NOTICE that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on April 24, 2019. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on May 22, 2019, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk