

**TOWNSHIP OF HARDYSTON
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE NO. 2021-14

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF
SUSSEX, AND STATE OF NEW JERSEY AUTHORIZING A SPECIAL
ASSESSMENT FOR THE NORTH CHURCH TECHNICAL CENTER
COMMUNITY/PARK DRIVE FIRE SUPPRESSION SYSTEM
IMPROVEMENTS**

WHEREAS, in 2019 the Township was approached by members of the North Church Technical Center Community (“Community”) with regard to necessary improvements and repairs to the fire suppression system; and

WHEREAS, the Township and the Community entered into an Agreement pursuant to which the Township would contract for the improvements and the properties benefitted would be subjected to a special assessment for the cost of the improvements pursuant to N.J.S.A. 40:56-1 *et seq.*; and

WHEREAS, the special 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/Park Drive 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.*

WHEREAS, 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 |

WHEREAS, all improvements were completed and the final cost of the project, including all eligible expenses, was Six Hundred Fifty-Seven Thousand Nine Hundred Eighty-Eight Dollars and Ninety Cents (\$657,988.90).

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

1. The full cost of the project and any associated costs and fees expended to complete the improvements and repairs of the North Church Technical Center Community/Park Drive fire suppression system improvements, together with all costs associated with establishing and enforcing the assessments, shall be assessed against all benefitting properties as listed in the chart attached hereto as Schedule A.
2. The procedures for making and collecting this special assessment, which are set forth in N.J.S.A. §40:56-1 *et seq.* have been followed in developing the information in Schedule A.
3. The Township's Special Assessment Commission, with the Township's Tax Assessor acting as consultant, was responsible for making the assessment in accordance with the statutory parameters.
4. The Township's contribution to the repayment of the costs of this local improvement shall not exceed \$101,229.

5. The assessment shall constitute a first and paramount lien on the property pursuant to N.J.S.A. §40:56-33 and a record of same shall be maintained in accordance with N.J.S.A. §40:56-41.3.
6. The assessment shall be paid in annual installments, plus interest, over the course of ten (10) years. Bills for the assessment will be sent out by the Tax Collector, separate and apart from any tax bills. There will be no penalty for prepayment.
7. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.
8. All ordinances of the Township of Hardyston, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
9. 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

BRIAN KAMINSKI
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 December 8, 2021. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on December 22, 2021, 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