

**TOWNSHIP OF HARDYSTON
ORDINANCE #2011-13**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON PROVIDING FOR
THE PARK DRIVE FIRE PROTECTION SYSTEM INSTALLATION,
APPROPRIATING \$230,000 THEREFORE AND AUTHORIZING A SPECIAL
ASSESSMENT FOR THE COST THEREOF**

WHEREAS, certain properties within the vicinity of Park Drive have a need for an upgrade and repair of its fire protection system for the benefit of their respective properties; and

WHEREAS, water system improvements will support such an upgrade to the current fire protection system; and

WHEREAS, the Township of Hardyston seeks to facilitate the improvements by way of solely administering a special assessment for the total cost of the local improvements against those properties which will be specifically benefitted by said improvements; and

WHEREAS, the water system, once the improvements to same are completed, will be turned over to the Hardyston Township Municipal Utilities Authority.

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

SECTION 1. The improvement described in Section 2 of this ordinance is hereby authorized to be undertaken by the Township of Hardyston, New Jersey as a local improvement pursuant to N.J.S.A. 40:56-1. For the improvement or purpose described in Section 2 there is hereby appropriated the sum of \$230,000.00 from the Capital Improvement Fund or by bond.

SECTION 2. The Township of Hardyston shall install the necessary fire protection equipment and appurtenances for the health and safety of the benefitted properties located on or near Park Drive within the Township of Hardyston. Of the appropriated sum, approximately \$60,000.00 of the above referenced total cost shall be assessed and paid for by one (1) benefitted property owner, by way of separate agreement with the Township, with the remaining funding to be specifically assessed to the following properties as designated on the official Tax Maps of the Township of Hardyston.

<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
1 PARK DR	62	18.01
3 PARK DR	62	18.02
5 PARK DR	62	18.03
7 PARK DR	62	18.04
9 PARK DR	62	18.05
11 PARK DR	62	18.06
13 PARK DR	62	18.07
15 PARK DR	62	18.08
17 PARK DR	62	18.09
19 PARK DR	62	18.10
18 PARK DR	62	18.11
16 PARK DR	62	18.12
14 PARK DR	62	18.13
4 PARK DR	62	18.15
182 NORTH CHURCH RD	62	18.16
178 NORTH CHURCH RD	62	18.17
8 PARK DR	62	22.01
10 PARK DR	62	22.02
12 PARK DR	62	22.03

SECTION 3. Notice is hereby given to the owners of all lot and parcels of real estate benefited by the improvement described in Section 2 hereof and affected by the improvement described therein that the Township of Hardyston intends to make and to levy special assessments against all such lots and parcels of real estate in an aggregate estimated amount of \$230,000.00. In no event, however, shall the amount assessed against each benefitted owner not exceed the benefit conferred.

SECTION 4. The owner of any land upon which an assessment for the local improvement shall have been made may pay such assessment in the number of equal yearly installments determined herein with legal interest on the unpaid balance of the assessment. The first of such installments shall be due and payable two months after the confirmation of the assessment, and each subsequent annual installment and interest shall be payable in each successive year at such time as the governing body shall determine by resolution provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or any balance of installments with accrued interest thereon at one time. In case any such installment shall remain unpaid for thirty (30) days after the time it shall become due and payable, the whole assessment or the balance thereof shall become due and payable, and be immediately due and payable, shall draw interest at the rate imposed upon the arrearage of taxes in the Township and shall be collected in the same manner as provided by law for the other past due assessments. Such assessment shall remain a lien upon the land described herein until the assessment with all installments and accrued interest thereon, shall be paid and satisfied. Notwithstanding, anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

SECTION 5. The number of annual installments within which the special assessment are to be levied on the lots and parcels of real estate benefited by the improvements is ten (10) years.

SECTION 6. This ordinance shall take effect upon final passage and publication, according to law.

TOWNSHIP OF HARDYSTON
COUNTY OF SUSSEX
STATE OF NEW JERSEY

ATTEST:

Jane Bakalarczyk, Clerk

Stanley J. Kula, 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 August 16, 2011. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on September 20, 2011, 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.

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

**JANE BAKALARCZYK, RMC/CMC
TOWNSHIP CLERK**