

TOWNSHIP OF MONTCLAIR

ORDINANCE DISSOLVING THE MONTCLAIR PARKING AUTHORITY

January 24, 2012

WHEREAS, pursuant to N.J.S.A. 40:11A-1 et seq, the Township of Montclair by Ordinance 02-51 adopted November 12, 2002 established the Montclair Parking Authority (“MPA”); and

WHEREAS, the MPA has since that time been engaged in the development, management, and maintenance of parking decks, lots and spaces in the Township; and

WHEREAS, the MPA has been maintaining and operating all Township-owned and leased parking spaces , lots and facilities pursuant to a inter-local contract and lease agreement (the”ILA”); and

WHEREAS, the MPA has for several consecutive years has been in default in its lease payment to the Township pursuant to the ILA, which has now expired; and

WHEREAS, despite extensive negotiations, the Township and the MPA have not reached an agreement on a new contract and lease

WHEREAS, the governing body has determined that the services provided by the MPA can be undertaken more efficiently and at less cost to the taxpayer by a self-liquidating utility operating as part of the municipal government; and

WHEREAS, the Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-20, provides that the Township can dissolve the MPA by ordinance, subject to the approval of the Local Finance Board; and

WHEREAS, the Township is required to undertake to assume all debts and other obligations of the MPA, and to provide the services presently performed by the MPA that

are necessary for the health safety and welfare of the recipients of those services; now, therefore, be it

ORDAINED, by the governing body of the Township of Montclair that pursuant to N.J.S.A. 40A:5-20, the MPA be, and the same is, hereby terminated and dissolved; and be it further

ORDAINED, that immediately prior to the effective date of dissolution of the MPA, the Township assumes all of the outstanding debt and financial obligations of the MPA; and be it further

ORDAINED, that upon the effective date of the dissolution of the MPA the Township, using its existing Parking Utility, shall be responsible for the parking and related operations presently performed by the MPA; and be it further

ORDAINED, that Ordinance 02-51, codified as Montclair Code Chapter 46, is hereby repealed in its entirety; and be it further

ORDAINED, that pursuant to N.J.S.A. 40A:5-20, this Ordinance shall not be finally adopted until it has been approved by the Local Finance Board.