

Township of Lawrence  
County of Mercer

**Ordinance No. 2137-12**

**ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$37,644.65 THEREFOR AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF**

WHEREAS, at the request of certain owners of properties identified herein, the Township of Lawrence has previously authorized and undertaken certain sidewalk improvements; and

WHEREAS, the understanding between the property owners and the Township was that these improvements would be specially assessed against the properties; and

WHEREAS, the Township now wishes to authorize the special assessment of the cost of such improvements;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, in the County of Mercer, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvement described in Section 3 of this ordinance is hereby authorized to be undertaken by the Township of Lawrence, New Jersey as a local improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$37,644.65.

Section 2. (a) The improvement hereby authorized is the improvement of the sidewalks, curbs, and driveway aprons along the streets listed below. The affected properties, listed by name of record owner, street address, block, lot and assessment amounts are as follows:

<b>OWNER of RECORD</b>	<b>No.</b>	<b>PROPERTY ADDRESS</b>	<b>TOTAL</b>
Eugenia Moore	229	Johnson Avenue	\$588.00
Cecelia Haynes	321	Johnson Avenue	\$1,249.85
Elton & Darlene Thomas	381	Johnson Avenue	\$84.00
Donald Wayne Davis	385	Johnson Avenue	\$588.00
Stephen Boughn, ux	3	Springwood Drive	\$879.75
Yoshitomo & Lora Hamuro	5	Springwood Drive	\$750.00
Aaron Levin, ux	6	Springwood Drive	\$1,107.00
Michael & Barbara Gliddon	7	Springwood Drive	\$818.00
Barbara Kendrick	9	Springwood Drive	\$951.00
William McBride & Susan Wheeler	11	Springwood Drive	\$918.00
James & Judith Springer	14	Springwood Drive	\$867.00
Fadil Harun	17	Springwood Drive	\$84.00
Mario & Felicia R. DeVincenzi	21	Springwood Drive	\$1,652.00
Paul Moran, ux	22	Springwood Drive	\$1,427.00

Thomas & Ann T. Gordon	26	Springwood Drive	\$918.00
Andrew & Karen Sarnow	28	Springwood Drive	\$1,500.00
Kirk & Catherine LeCompte	30	Springwood Drive	\$876.50
Frank & Catherine Scangarella	37	Springwood Drive	\$842.00
Reginald & Zuzana Forgie	2	Woodlane Road	\$168.00
Jose & Colleen Ramos	4	Woodlane Road	\$399.00
Patrick Ahearn, et ux	5	Woodlane Road	\$2,303.40
D. G. Sarsfield & J. E. Reich	6	Woodlane Road	\$2,043.00
Jonathan Husch & Geraldine Hutner	8	Woodlane Road	\$1,786.75
Fred & Mary Zeleznik	9	Woodlane Road	\$902.00
Brian & Janel Ihlefeld	10	Woodlane Road	\$340.00
Frank & Lori Pressler	11	Woodlane Road	\$905.25
Kenneth & Mary Najjar	13	Woodlane Road	\$146.25
Lynn David Dorsey, ux	14	Woodlane Road	\$1,651.75
William VanPelt, Jr., ux	17	Woodlane Road	\$357.00
Antoinette Sinclair	20	Woodlane Road	\$1,345.00
Robert Williamson, Jr., ux	21	Woodlane Road	\$680.00
Thomas & Cynthia Pearce	22	Woodlane Road	\$272.00
Michael Roberts, ux	23	Woodlane Road	\$1,303.75
Janet Madison	26	Woodlane Road	\$1,648.00
James & Stefanie Over	27	Woodlane Road	\$1,619.40
Vivian Kenyon	28	Woodlane Road	\$1,360.00
Barbara Weiner	29	Woodlane Road	\$988.00
William & Denise O'Sullivan	30	Woodlane Road	\$1,020.00
Paul Kydd, ux	32	Woodlane Road	\$306.00
		<b>Total</b>	<b>\$37,644.65</b>

(b) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

**Section 3.** The improvement described in Section 2 of this ordinance shall be undertaken as a sidewalk improvement and the cost thereof shall be assessed in the following manner. An accurate account of the cost of construction of the sidewalks shall be kept, and such cost shall be assessed upon the several properties fronting on the improvement in proportion to their respective frontage or square yardage thereon pursuant to and in accordance with N.J.S.A. 40:65-1 *et seq.*

**Section 4.** The owner of any land upon which any assessment for the local improvement shall have been made may pay such assessment in the number of equal yearly installments herein determined, with legal interest on the unpaid balance of the assessment. The first of the 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 thereafter at such time as the governing body shall by resolution determine, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or of any balance of installments with accrued interest thereon at any time. Whenever any such installment shall remain unpaid for thirty (30) days

from and after the time it shall become due and payable, the whole assessment or balance thereof shall become and be immediately due and payable and 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 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 following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a local improvement the cost of which shall be specially assessed in the manner provided herein.

(b) The number of annual installments within which the special assessments are to be levied on the lots and parcels of real estate affected by the improvement is five (5) with an interest rate of six-percent (6%).

(c) The Township will not contribute to the payment of any part of the cost of the improvement.

**Adopted: November 8, 2012**

**RECORD OF VOTE**

<b>COUNCIL</b>	<b>AYE</b>	<b>NAY</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>ABSTAIN</b>	<b>MOVE</b>	<b>SECOND</b>
Ms. Lewis	X						
Dr. Maffei	X					X	
Mr. Powers				X			
Mr. Puliti	X						X
Mayor Kownacki	X						