

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE #: 1102-22

**An Ordinance of the Borough of Demarest, County of Bergen, State of New
Jersey**

Ordinance # 1102-22 – Authorizing the use of Real Property known as Lot 15 in Block 23 on the tax map of the Borough of Demarest, more commonly known as 129 Hardenburgh Avenue for borough offices.

WHEREAS, the Borough of Demarest previously acquired certain property situate within the borough, to wit, Lot 15 in Block 23 of the Demarest Tax Map, otherwise known as 129 Hardenburgh Avenue for the purpose of constructing affordable housing in furtherance of the Borough's Mount Laurel obligations; and

WHEREAS, it appears that the Borough can make better use of the property as municipal offices and can use other borough owned property for the affordable housing previously intended for the subject parcel and;

WHEREAS, no additional court review or approval is required, as a judgment of compliance was issued in 2020 that did not specify affordable units on the subject parcel, and;

WHEREAS, the parcel was acquired, in part, using Affordable Housing Trust Funds, which will be reimbursed to the Trust Fund as a provision hereof.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Demarest, that Lot 15 of Block 23 of the Demarest Tax Map, otherwise known as 129 Hardenburgh Avenue, shall hereafter be used for Borough administrative offices, until further notice, upon final adoption and publication hereof pursuant to statute; and

BE IT FURTHER RESOLVED, that as a material provision hereof, the Borough will reimburse the Affordable Housing Trust Fund in the amount of One Million Ten Thousand (\$1,010,000.00) Dollars based upon the Certification of the Chief Financial Officer of available funds from the Capital Fund or such other account as may be proper for such purpose; and

BE IT FURTHER ORDAINED, that if the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance, and

BE IT FURTHER ORDAINED, all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency, and

BE IT FURTHER ORDAINED, this Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BOROUGH OF DEMAREST

MELINDA J. IANNUZZI-MAYOR

ATTEST:

Susan Crosman, RMC Borough Clerk

Introduced: April 25, 2022

Adopted: _____, 2022

I certify that funds are available to effectuate the intent and purpose hereof in the _____ Account, or through Bond Ordinance 1086.

Francis Elenio-Chief Financial Officer

Dated: