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CITY OF PASSAIC

ORDINANCE NO. 1516-01

ORDINANCE ESTABLISHING PASSAIC REDEVELOPMENT AGENCY

WHEREAS, the City Council of the City of Passaic has determined that it is in the best interest of the City of Passaic to establish a Redevelopment Agency; and

WHEREAS, the Redevelopment Agency will review various properties within the City of Passaic to determine the need for revitalization of these areas and for the purpose of a Redeveloping of these properties; and

WHEREAS, the Redevelopment Agency will help to create more business opportunities and development of the City through redevelopment of properties within the City; and

WHEREAS, N.J.S.A. 40A:12(a) – 11, establishes the authority for the City of Passaic to create a Redevelopment Agency.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Passaic to create a Redevelopment Agency as follows:

SECTION ONE

Title: Passaic Redevelopment Agency

SECTION TWO

Terms of Commissioners of Redevelopment Agency

A. There shall be seven commissioners of the Redevelopment Agency, which shall be appointed by the Mayor with the advice and consent of the City Council.

B. The terms for these commissioners shall be five years, except that the first appointees shall be designated as one – having a term of one year, one – having a term of two years, two – having terms of three years, one – having a term of four years and two – having terms of five years.

C. Two commissioners may be officers or employees of the City of Passaic.

D. Each commissioner shall hold office for the term of his appointment and until his successor has been appointed and qualified.

E. Vacancies shall be filed in the same manner as the original appointment for the unexpired term.

SECTION THREE

Commissioner Appointments

A. A commissioner who is a member of the Governing Body shall serve only a one-year term.

B. All other commissioners shall be appointed in staggered terms in accordance with the previous Section.

C. A Certificate of Appointment or Reappointment of each commissioner shall be filed with the Clerk.

D. A commissioner shall receive no compensation for his services, but shall be entitled to reimbursement for actual expenses incurred in the discharge of his duties, including travel expenses.

E. Four commissioners shall constitute a quorum for purposes of conducting business and exercising powers and all other purposes. Action may be taken upon the

affirmative vote of a majority but not by less than four commissioners present, unless in the case that the by-law of the Agency shall require a larger number.

F. The Agency shall select a chairman and a vice-chairman from among the commissioners and it shall employ an executive director who shall be its secretary.

SECTION FOUR

Conflicts of Interest

A. No commissioner or employee of an agency shall acquire an interest, direct or indirect, in any redevelopment project, or in any property included or planned to be included in a project, nor shall he have any interest, indirect or direct, in any contract or proposed contract for materials or services to be furnished or used in connection with the project.

B. If any commissioner or employee of any agency owns or controls an interest, direct or indirect, in any property included or planned to be included in a project, he shall immediately disclose same in writing to the agency and a disclosure shall be entered into the minutes of the Agency. Failure to disclose such an interest shall constitute misconduct in office. An employee making such a disclosure shall not participate in any action by the Agency affecting the property.

C. A commissioner may be removed by action of the Council after given a copy of the charges at least ten (10) days prior to a hearing and an opportunity to be heard. Record of these proceedings, together with the charges and findings shall be filed with the office of the Clerk of the City of Passaic.

SECTION FIVE

Executive Director

A. An executive director of a redevelopment agency shall be appointed in accordance with the requirements of N.J.S.A. 40A: 12A-12, et. seq.

SECTION SIX

Repealer

BE IT FURTHER ORDAINED, that all other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed, to the extent of such inconsistency.

SECTION SEVEN

Effective Date

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon passage and publication as provided by law.

SECTION EIGHT

Severability

BE IT FURTHER ORDAINED, that the provisions of this ordinance are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of the regulation of their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not

been included therein, and if such persons or circumstances, to which the ordinance or part hereof is held inapplicable, had been specifically exempted therefrom.

Wm. S. Burkly
Walter Lee
Joyce R. Gump
Gay S. Sorenson
Dale

Council Members

Guadalupe Perinias
Council President
Jane Katerba
City Clerk

David
Mayor

JUN 3 2002

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