

**BOROUGH OF NEW PROVIDENCE**  
**Ordinance 2010-2**

**“AN ORDINANCE OF THE BOROUGH OF NEW PROVIDENCE, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING ORDINANCE 2006-1 “CREATING A BUSINESS IMPROVEMENT DISTRICT AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION ”**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of New Providence, County of Union and State of New Jersey, as follows:

SECTION I. Section 8 of the Code of the Borough of New Providence entitled “Creating A Business Improvement District And Designating A District Management Corporation ” is amended, as follows:

**SECTION 8. BOARD OF DIRECTORS**

The Board of Directors shall include: (1) a member of the Governing Body appointed by the Mayor with the consent of the Borough Council; (2) a member of the Borough Planning Board appointed by the Mayor with the consent of the Borough Council; (3) one resident of the Borough who shall not be an owner or occupant of commercial property within the District, and who shall be appointed by the Mayor with the consent of the Borough Council. Each of the foregoing appointments shall be for a term of one (1) year expiring on December 31 of the year appointed, or until a successor is appointed. The Board of Directors shall include one (1) non-voting member appointed from each of the following organizations:

**New Providence Business & Professional Association**

The members appointed by these organizations shall serve at the pleasure of the appointing body.

Four (4) members of the Board of Directors shall consist of owners or occupants of commercial property located within the District. The bylaws shall provide for an election to select the members of the Board of Directors from the owners and/or occupants of commercial property included within the District, which election shall be held within three (3) months from the date of the adoption of this ordinance. Said elections will be for a term of four (4) years, except however at the first election, one (1) member shall be elected for one (1) year; one (1) member shall be elected for two (2) years, one (1) member shall be elected for three (3) years, and one (1) member shall be elected for four (4) years. Any vacancies with regard to these elected members shall be filled by a majority vote of the Board members for the balance of the term.

The Board of Directors shall include one (1) non-voting member appointed from each of the following organizations:

New Providence Business & Professional Association

The members appointed by these organizations shall serve at the pleasure of the appointing body.

The Mayor and Borough Council will appoint a Business Improvement District Steering Committee (Steering Committee), consisting of five (5) members, to act until the Board of Directors shall be appointed, and whose members will carry out the duties of forming the non-profit corporation, to include securing corporate and non-profit status and creation of bylaws, formation of a nominating and election committee. The Steering Committee shall not expend or commit any district management corporation funds without a majority vote of the Steering Committee members. The bylaws shall provide for an election to create the Board of Directors by owners and/or occupants of commercial property included within the District, which election shall be held within three (3) months from the date of the adoption of this ordinance.

Introduced: February 22, 2010  
Public Hearing: March 8, 2010  
Adopted: March 8, 2010

BOROUGH OF NEW PROVIDENCE  
COUNTY OF UNION  
STATE OF NEW JERSEY

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John A. Thoms, Mayor

Attest:

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Wendi B. Barry  
Borough Clerk