

**TOWNSHIP OF HAMILTON  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE**

No. **22-053**

1ST READING	<u>Dec. 6, 2022</u>	DATE TO MAYOR	<u>Dec. 21, 2022</u>
2ND READING & PUBLIC HEARING	<u>Dec. 20, 2022</u>	DATE RESUBMITTED TO COUNCIL	_____
WITHDRAWN _____	LOST _____	DATE EFFECTIVE	_____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

\_\_\_\_\_  
TOWNSHIP ATTORNEY

\_\_\_\_\_  
TITLE

**ORDINANCE AUTHORIZING A DEED TO TRANSFER PROPERTY FROM THE TOWNSHIP OF HAMILTON TO THE COUNTY OF MERCER, NEW JERSEY FOR A PORTION OF BLOCK 2730, Lot 14.01 AS PRESERVED OPEN SPACE**

*Whereas* the Township of Hamilton remains dedicated in its efforts to preserve farms and open space located in the municipality; and

*Whereas* an approximate 51.35± acre parcel, known as the Hamilton YMCA summer camp land, located at 185 Sawmill Road and designated as Block 2730, Lot 14.01, was available for purchase; and

*Whereas* said property was developed into the Sawmill YMCA summer day camp in 2001, and is currently improved with a one-story main building, a separate maintenance garage, three (3) soccer fields, two (2) baseball fields, one (1) accessible baseball field, one (1) in-ground swimming pool and playgrounds, volleyball courts, various pavilions, on-site surface parking and restroom facilities; and

*Whereas* the Township, via Ordinance 2022-03, authorized the acquisition of the Sawmill Property, with the intent to acquire the property and to lease a portion of the property back to the YMCA organization for continued use as a community recreational asset; and

*Whereas*, the Township acquired said property on June 30, 2022 utilizing monies made available from the State of New Jersey Green Acres Program and the Mercer County Open Space Grant Trust Fund; and

*Whereas*, to maximize the amounts available from the Mercer County Open Space Grant Trust Fund, the Township has agreed to transfer a 12.408 acre portion of the property to the County of Mercer, which owns Block 2730, Lot 14.03 which generally surrounds the Township acquired property on three sides; and

*Whereas*, to effectuate these plans, the Township Council desires to approve the terms of a property deed for the lands to be transferred, substantially in the form attached hereto as Exhibit A, together with such changes as may be necessary or requested by the County of Mercer and acceptable to the Business Administrator and Township Attorney;

*Now, Therefore, Be It Ordained* by the Council of the Township of Hamilton, in the County of Mercer, and State of New Jersey, as follows:

1. Recitals. The recitals are fully incorporated herein.
2. Approval of Property Deed. The Deed, in substantially the form attached hereto as Exhibit A, together with any non-material changes as may be agreed to by the Township through the office of the Business Administrator; is hereby approved.

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3. Execution of the Deed. The proper officials of the Township be and hereby are directed and authorized, upon satisfaction of all the legal conditions precedent to the execution and delivery by the Township of the Deed, to execute the Deed in substantially the forms of the draft attached hereto and with such non-material changes, insertions and omissions thereto as the Business Administrator, after consultation with the Township Attorney, deems in the Business Administrator's sole discretion to be necessary or desirable for the execution thereof, which execution thereof shall conclusively evidence the Township's and the Business Administrator's consent to any such changes thereto.
4. Attestation and Sealing of the Deed. The Clerk of the Township is hereby authorized and directed, upon the execution of the Deed in accordance with the terms of Section 4 hereof, to attest to the signature of the proper officials upon such documents and is hereby further authorized and directed thereupon to affix the corporate seal of the Township upon such documents.
5. Implementation of the Deed. Upon the execution and attestation and placing of the seal on the Deed as contemplated by Sections 4 and 5 hereof, the Mayor and Business Administrator, together with the necessary staff and professionals of the Township, are hereby authorized and directed to (i) deliver the fully executed, attested and sealed document to the other parties thereto and (ii) perform such other actions as the Business Administrator deems necessary or desirable in relation to the execution and delivery of the Deed.
6. Severability. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.
7. Availability of The Ordinance. A copy of this Ordinance and the Deed approved hereunder shall be available for public inspection at the offices of the Township.  
And
8. Effective Date. This Ordinance shall take effect in accordance with law.

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\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
MUNICIPAL CLERK

**RECORD OF VOTE**

First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
ANTHONY P. CARABELLI, JR.	✓				✓		ANTHONY P. CARABELLI, JR.						
PASQUALE "PAT" PAPERIO, JR.	✓						PASQUALE "PAT" PAPERIO, JR.						
RICHARD L. TIGHE, JR.	✓						RICHARD L. TIGHE, JR.						
CHARLES F. WHALEN	✓					✓	CHARLES F. WHALEN						
NANCY PHILLIPS	✓						NANCY PHILLIPS						

X - Indicates Vote    A.B. - Absent    N.V. - Not Voting    ORD. - Moved    SEC. - Seconded

REJECTED \_\_\_\_\_

\_\_\_\_\_  
JEFFREY S. MARTIN, MAYOR

\_\_\_\_\_  
DATE

APPROVED \_\_\_\_\_

RECONSIDERED BY COUNCIL \_\_\_\_\_

OVERRIDE VOTE

AYE \_\_\_\_\_

NAY \_\_\_\_\_