

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

ORDINANCE

No. **22-055**

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WITHDRAWN _____ LOST _____	DATE EFFECTIVE _____

APPROVED AS TO FORM AND LEGALITY

ACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

ORDINANCE AUTHORIZING THE TOWNSHIP OF HAMILTON TO ENTER INTO AN AGREEMENT WITH NOTTINGHAM VOLUNTEER FIRE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS, FOR THE ACQUISITION OF LAND, PREMISES, IMPROVEMENTS AND FIXTURES LOCATED AT 200 MERCER STREET, AND DESIGNATED AS BLOCK 1839, LOT 24.01, HAMILTON, NEW JERSEY (Purchase Price: \$500,000.00)

Whereas prior to January 1, 2021, the Hamilton Township Fire District Nos. 2, 3, 4, 5, 6, 7, 8, and 9 ("Fire Districts") provided all fire and emergency medical services to the residents of the Township; and

Whereas by Ordinance No. 20-010 dated March 3, 2020, the Township of Hamilton dissolved the Fire Districts, and assumed responsibility for the services and financial obligations of the same effective July 1, 2020 or such date as approved by the State of New Jersey, Department of Community Affairs, Local Finance Board; and

Whereas on September 9, 2020, the Township received approval from the Local Finance Board; and

Whereas on or about January 1, 2021, the Township's Department of Public Safety transitioned to establish a Fire Division within the department; and

Whereas on January 1, 2021, all the Fire Districts were dissolved and all uniformed personnel of the Fire Districts transitioned to the Township to provide fire protection and emergency medical services through the Township's Fire Division; and

Whereas on September 8, 2020, by virtue of the upcoming consolidation of the fire districts, the Township of Hamilton and the Nottingham Volunteer Fire Company entered into a Memorandum of Agreement to allow the Township of Hamilton to continue utilizing the building and premises for emergency operations as of January 1, 2021 per the lease agreement; and

Whereas from January 1, 2021 to date, fire protection and emergency medical services has continued out of the real property located at 200 Mercer Street, Hamilton Square, New Jersey 08690 pursuant to lease agreement; and

Whereas the number of members serving in the Nottingham Volunteer Fire Company has, over time, decreased and caring for the Property has become onerous for them; and

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Whereas Nottingham Volunteer Fire Company and the Township of Hamilton have negotiated the purchase by the Township of the Property so that the firehouse can continue to be used for fire and emergency operations;

Whereas the Nottingham Volunteer Fire Department agrees to ensure the beloved Memorial Day Parade shall continue through 2026; and

Whereas, the Township is authorized pursuant to N.J.S.A. 40A:12-1 et seq., to acquire properties for the public purposes set forth herein; and

Whereas it is in the best interests of the Township of Hamilton to pursue the acquisition of the property for public purposes, health and safety of the Township.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Hamilton in the County of Mercer, State of New Jersey, as follows:

1 The Township, through its appropriate staff, employees and officials is hereby authorized and directed to take all such steps as may be advisable or necessary pursuant to N.J.S.A. 40A:12-1, et seq. to acquire the above-referenced property, in an amount of \$500,000, with annual payments made over five years.

2. The Mayor, Business Administrator, Township Clerk and the Director of Law, and other staff and professionals, are hereby authorized and directed to execute and file any and all such actions and documents and undertake any and all such further actions as may be necessary to accomplish the purposes hereof.

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CERTIFICATION AS TO AVAILABILITY OF FUNDS

I hereby certify that, as of the date of the Ordinance, the free and unencumbered balance in Account No. C-04-55-220-000-521 is sufficient and that there are adequate funds available for the proposed contract noted above, subject to funding from the State of New Jersey and Mercer County.

Eugenia Poulos, Chief Financial Officer/Director of Finance

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.						
NANCY PHILLIPS	✓	/					NANCY PHILLIPS						
CHARLES F. WHALEN	✓	/				✓	CHARLES F. WHALEN						
PASQUALE "PAT" PAPERIO, JR.	✓	/			✓		PASQUALE "PAT" PAPERIO, JR.						
RICHARD L. TIGHE, JR.	✓	/					RICHARD L. TIGHE, JR.						

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 _____