

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

ORDINANCE

No. **23-016**

1ST READING	April 4, 2023	DATE TO MAYOR	_____
2ND READING & PUBLIC HEARING	April 18, 2023	DATE RESUBMITTED TO COUNCIL	_____
WITHDRAWN	_____	DATE EFFECTIVE	_____
LOST	_____		

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

ORDINANCE AUTHORIZING THE TOWNSHIP OF HAMILTON'S ACQUISITION OF CERTAIN PROPERTY LOCATED ON BASIN ROAD AND DESIGNATED AS BLOCK 1504, LOTS 35 AND 37, HAMILTON, NEW JERSEY (Purchase price: \$188,000.00; Estimated closing costs: \$3,500.00 +/-; Total amount of funding: \$191,500.00)

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

Whereas approximately 32.5± acres of land, located on Basin Road and designated as Block 1504, Lots 35 and 37, is currently available for purchase; and

Whereas Lot 35 is partially wooded, and is upstream and adjacent to a 14.2 acre parcel along the Assunpink Creek (Block 1501, Lot 128) which is also owned by the Township as part of the Assunpink Creek stream corridor; and

Whereas Lot 37 is adjacent to the Assunpink Creek and is therefore heavily wooded and wet; and

Whereas as part of the Township's Green Acres due diligence process, the Township has acquired two (2) property appraisals, and have a signed option agreement in place with the property owner to purchase Block 1504, Lots 35 and 37 for \$188,000.00, pending the Township Council's review and approval; and

Whereas in addition to the appraisals, the Township has retained consultants to complete a boundary survey, as well as a Preliminary Site Assessment and Site Investigation as required to satisfy Green Acres funding requirements; and

Whereas the Township is seeking a 40% grant reimbursement from Mercer County (2023 application) and a 50% grant reimbursement from Green Acres (2023 application); and

Whereas it is in the best interests of the Township to pursue the acquisition of the subject property so as to ensure that the Township continues to preserve open space in a meaningful manner;

Now, Therefore, Be It Ordained, by the Council of the Township of Hamilton, in the County of Mercer, and State of New Jersey, that acquisition of the designated land for the specified price of \$188,000.00, be and hereby is authorized, *subject to*: the Township's receipt of the outside financing necessary to complete the purchase; the receipt of a binding commitment for title insurance at normal premium rates by a title company authorized to do business in the State of New Jersey; the satisfaction of all Green Acres and Mercer County financing conditions; and the fulfillment of the conditions of the contract for sale of real estate to be executed in connection herewith.

Be It Further Ordained by the Council that the closing costs associated with this acquisition are estimated to be \$3,500.00 +/-, and that the total amount of the funding required for this purchase

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ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT CODE, HAMILTON TOWNSHIP, NEW JERSEY, CHAPTER 160, LAND DEVELOPMENT, ARTICLE V, EXCEPTIONS, MODIFICATIONS AND DEVELOPMENT ALTERNATIVES, SECTION 160-165, AFFORDABLE HOUSING; MUNICIPAL HOUSING LIAISON

may be affected by the final closing costs assessed by the title company handling this real estate transaction on behalf of the Township.

Be It Further Ordained by the Council that the proper officials of the Township be and hereby are directed and authorized to enter into a contractual agreement with the parties, to execute all requisite documentation necessary to request and receive funding, and to execute all documentation necessary to effectuate the acquisition of the subject property.

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-04-55-216-077-101 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, Director of Finance/CFO

PRESIDENT

MUNICIPAL CLERK

RECORD OF VOTE

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

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 _____