

ORDINANCE NO. 22-14
INTRODUCTION DATE: 08-03-2022
ADOPTION DATE: 08-17-2022

ORDINANCE AUTHORIZING ACQUISITION OF A CONSERVATION EASEMENT OVER
LANDS IN TOWNSHIP OF MILLSTONE KNOWN AS BLOCK 59, LOT 9.05 FOR
ADDITIONS TO TOMS RIVER HEADWATERS

WHEREAS, BLOCK 59, LOT 9.05 is located within the Township of Millstone and more commonly known as the Liebowitz Property the (“Property”); and

WHEREAS, BLOCK 59, LOT 9.05 consist of a total of approximately +5.1 acres and is deemed useful for recreation and/or open space purposes; and

WHEREAS, in accordance with a Shared Service Agreement approved pursuant to Resolution Number 21-172 on September 1, 2021 for the Toms River Headwaters Project between the Township and the County of Monmouth, there is an opportunity for the County to assist the Township in the preservation of the Property located within the Township; and

WHEREAS, the Township and County received independent appraisals conducted by State-certified appraiser, Sockler Realty Services Group, Inc, which is on the approved Green Acres List, for the Property, and through negotiation or other legal means, have prepared a contract to purchase the property in the amount of \$50,000.00; and

WHEREAS, the Township shall have a 50% cost share obligation of the total purchase price, in the amount of \$25,000.00 contingent upon title review, environmental review and adjustments for acreage, taxes and other closing costs; and

WHEREAS, in accordance with the Shared Service Agreement, the Monmouth County Park System will be responsible for the commissioning of the necessary title search and commitment, a boundary survey and environmental review of the Property; and

WHEREAS, it is the opinion of the Township Committee that the purchase of this Property will further its aims and objectives in setting aside real property for public purposes, open space and recreation, and will assist in preserving the quality of life within the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Millstone as follows:

1. The Mayor and Township Clerk are hereby authorized to execute a Contract for Sale of Real Estate as well as any and all other documents necessary to effectuate the purchase of the above-described Property.

2. The Township's Special Environmental Counsel and other municipal officials are hereby authorized to undertake any and all acts reasonably necessary to effectuate the purchase of the above-described Property.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance provides for the purchase by the Township of Millstone of property known as Block 59, Lot 9.05.

Pursuant to N.J.S.A 40A:4-57, N.J.A.C 5:34-5 and any other applicable requirement, I, Anthony Mannino, Chief Financial Officer for the Township of Millstone hereby certify that there is available sufficient uncommitted appropriation in the 2022 Township Budget to authorize the acquisition of a conservation easement in the sum of \$25,000.00 with:

Leibowitz

For:

Authorizing the acquisition of conservation easement over lands in the Township of Millstone (Block 59, Lot 9.05) for additions to Toms River Headwaters.

Funding Source: Open Space Trust reimbursed through Green Acres upon receipt of funds.

Contract Amount: \$25,000.00

Amount Certified: \$25,000.00

Date: August 3, 2022