

**TOWNSHIP OF LONG HILL
ORDINANCE 352-15**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LONG HILL,
IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE
ACQUISITION BY PURCHASE OF PROPERTIES LOCATED IN THE TOWNSHIP AND
APPROPRIATING FUNDS FROM THE TOWNSHIP OPEN SPACE TRUST FUND, A NJ
GREEN ACRES GRANT, AND A COUNTY FLOOD MITIGATION PROGRAM GRANT**

STATEMENT OF PURPOSE: to authorize the purchase of the flood prone properties using Open Space Trust Fund money, a NJ Green Acres grant, and the proceeds of a County Flood Mitigation Program grant.

WHEREAS, pursuant to NJSA 40A:12-5, the Township of Long Hill (“Township”) has the power to acquire any real property for a public purpose through negotiated agreement; and

WHEREAS, the Township has executed a grant agreement with the state of New Jersey, Department of Environmental Protection, NJ Green Acres Grant, formerly known as the Passaic River Basin Property Acquisition Project (Project # 1430-12-009); and

WHEREAS, the Township has received preliminary approval for grant funding through the Morris County Flood Mitigation Program to supplement the funding provided through the NJ Green Acres Grant; and

WHEREAS, properties to be acquired under the NJ Green Acres Grant and the Morris County Flood Mitigation Program include:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>
12807	8	168 Bungalow Terrace, Millington
10906	33	85 River Avenue, Gillette
10503	8	126 Laurel Avenue, Stirling
10504	8	134 Cedar Avenue, Stirling
11601	10	329 Mercer Street, Stirling
11601	9	335 Mercer Street, Stirling
11601	8	339 Mercer Street, Stirling
11602	28	334 Mercer Street, Stirling
10401	1	1297 Valley Road, Stirling
11204	26	95 Madison Avenue, Gillette

WHEREAS, the owners of the properties and the Township have agreed to the purchase prices set forth on the attached spreadsheet, which is incorporated herein by reference, payable as indicated:

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Long Hill, County of Morris, State of New Jersey that;

1. The above recitals are hereby incorporated into the body of this Ordinance as if set forth at length herein.
2. The acquisition by negotiated purchase of a fee simple interest in the Properties as described herein above is hereby authorized.
3. The Township Attorney and the Township Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiated purchase.

4. The Mayor, Township Administrator and the Township Clerk are hereby authorized to execute and witness respectively any documents necessary to effectuate the purchase of the Property subject to the above terms.
5. There is hereby appropriated a total of \$3,240,353.00 as follows: \$162,018.00 from the Township Open Space Trust Fund, and \$2,430,265.00 from the Morris County Flood Mitigation Program Grant, and \$291,632.00 from the NJ Green Acres Grant, formerly known as the Passaic River Basin Property Acquisition Project (Project # 1430-12-009); and the properties' current homeowners will commit \$356,439.00 for purchasing said property.

BE IT FURTHER ORDAINED that if any section, paragraph, subsection, clause or provision of the Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of conflict only; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law

NOTICE

The foregoing Ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on April 8, 2015 and then considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on **May 13, 2015** at the Municipal Building, 915 Valley Road, Gillette, New Jersey, when and where or at any such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC
Township Clerk