

**TOWNSHIP OF JEFFERSON
COUNTY OF MORRIS, NJ**

ORDINANCE #18-02

**“ORDINANCE AUTHORIZING THE PURCHASE BY JEFFERSON TOWNSHIP OF PREMISES KNOWN AS
BLOCK 272, LOTS 3, 4 AND 7 AS SHOWN ON THE JEFFERSON TOWNSHIP TAX MAP”**

SECTION I

WHEREAS, the Township has been requested by the Trust for Public Land d/b/a TPL-New Jersey to have the Township accept title to the premises known as Block 272, Lots 3, 4 and 7, as shown on the Jefferson Township Tax Map, consisting of approximately 106 acres of vacant land; and

WHEREAS, the Trust for Public Land has an option to purchase this property from its owner, Sasson Nabi, for a sum equal to the certified fair market value of the property (the “CMV”), as determined by the Green Acres Program of the New Jersey Department of Environmental Protection; provided, however, that the owner of the property may elect to terminate the option agreement if the CMV is less than \$695,000; and

WHEREAS, as of the date of this Ordinance, the CMV has not yet been issued; and

WHEREAS, the parties anticipate that the CMV will fall between \$695,000 and \$715,000; and

WHEREAS, the Trust for Public Land has received a grant from the Open Space Trust Fund of Morris County towards the purchase of this property, which funds shall be deposited into the closing escrow and applied to pay the purchase price of the property; and

WHEREAS, the Trust for Public Land has also received a grant from the Victoria Foundation towards the purchase of this property, which funds shall be deposited into the closing escrow and applied to pay the purchase price of the property; and

WHEREAS, the Township has received a commitment from N.J.D.E.P. Green Acres Program to provide additional funding for the purchase, at an amount not to exceed \$110,000; and

WHEREAS, the grant from the Open Space Trust Fund of Morris County contains certain post-closing management obligations described therein; and

WHEREAS, the Trust for Public Land has sought to have the Township of Jefferson acquire the actual title to the property and to assign to the Township of Jefferson the grant provided by Morris County Open Space Trust Fund; and

WHEREAS, the Township of Jefferson wishes to commit to the purchase of this Open Space a portion of its N.J.D.E.P. Green Acres Program grant allocation, upon the condition that the amount contributed by the Green Acres program shall be between \$99,750 and \$110,000, depending upon the CMV; and

WHEREAS, in furtherance of the foregoing, the Trust for Public Land has requested that the Township of Jefferson enter into a certain “Agreement of Conveyance” with the Trust for Public Land, setting for the terms by which title to the property shall be conveyed to the Township of Jefferson; and

WHEREAS, in furtherance of the foregoing, the Trust for Public Land has requested that the Township of Jefferson enter into a certain “Assignment and Assumption of Grant Agreement” with the Trust for Public Land, to effectuate the assignment of the Morris County Open Space Trust Fund grant to the Township of Jefferson; and

WHEREAS, the Township would acquire title to the aforesaid acreage without any expenditure of funds by the Township, including any funds from the Township Open Space Trust Funds; and

WHEREAS, the Township is desirous of acquiring this property, based upon the purchase being funded as aforementioned.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, Morris County, New Jersey, that the Township hereby agrees to the execution and delivery of the Agreement of Conveyance and to the execution and delivery of the Assignment and Assumption of Grant Agreement to purchase the aforesaid property at an amount not to exceed \$715,000, provided that the same is funded by a combination of funds received from the Morris County Open Space Trust Fund, the N.J.D.E.P. Green Acres Program, and the Victoria Foundation, the acceptance by the Township of the fee interest in and to the aforesaid property.

BE IT FURTHER ORDAINED that the Mayor and Clerk of the Township of Jefferson are hereby authorized to execute all necessary documents to effectuate this purchase and the funding for the same, including the execution of an Assignment and Assumption of a Grant Agreement with the Morris County Board of Chosen Freeholders, and an Agreement of Conveyance.

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

Introduced: February 21, 2018

Adopted: March 28, 2018

Council Member	By	2 nd	Yes	No	Abstain	Absent	By	2nd	Yes	No	Abstain	Absent
Mr. Birmingham		X	X						X			
Mrs. Finnegan			X						X			
Mr. Smith	X		X					X	X			
Vice President Dunham			X					X	X			
President Merz			X				X		X			

ATTEST:

Michele Reilly
MICHELE REILLY, TOWNSHIP CLERK

COUNCIL OF THE TOWNSHIP OF JEFFERSON

Debi Merz
DEBI MERZ, COUNCIL PRESIDENT

INTRODUCED: February 21, 2018
ADOPTED: March 28, 2018

RUSSELL W. FELTER, MAYOR
Russell W. Felter

DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:

3/28/18 10 pm

CERTIFICATION

I, Michele Reilly, Clerk of the Township of Jefferson, do hereby certify that the foregoing Ordinance #18-02 was duly adopted by the Township of Jefferson Council on the 28th day of March, 2018.

Michele Reilly
MICHELE REILLY, RMC, TOWNSHIP CLERK