

**ORDINANCE NO. 20 – 12 - 2020****AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE COMMITMENT OF OPEN SPACE TRUST FUNDS TO PARTICIPATE IN THE ACQUISITION OF A PORTION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 28, LOT 18, ALSO KNOWN AS THE PINE BROOK FARM ASSOCIATES PROPERTY**

**WHEREAS**, the State of New Jersey has designated Route 29 from Trenton to Frenchtown as a Delaware River Scenic Byway and as such there are grant opportunities for property located within this area; and

**WHEREAS**, the Township and County have identified a property located within the Delaware River Scenic Byway area that they desire to purchase; and

**WHEREAS**, Kingwood Township has obtained appraisals for the property and the property has appraised at \$9,325 per acre, which has been certified by the New Jersey Department of Environmental Protection - Green Acres program; and

**WHEREAS**, the New Jersey Department of Environmental Protection - Green Acres program has agreed to provide a grant for 50% of the purchase price; and

**WHEREAS**, the Township has obtained a commitment, by Resolution, from the County of Hunterdon to fund the remaining 50% of the purchase price; and

**WHEREAS**, the Township has determined that there is a need to participate in the acquisition of the Property for open space preservation, parkland and/or other public purposes, and that such acquisition is in the best interest of the Township; and

**WHEREAS**, the Township is authorized pursuant to N.J.S.A. 40:12-1, *et seq.*, and other Statutes to participate in the acquisition of the Property for public purposes; and

**WHEREAS**, there is a time critical deadline for closing this purchase with Scenic Byway grant funding available to the New Jersey Department of Environmental Protection - Green Acres program and the Township desires to enact an ordinance authorizing the acquisition of the property before the determination of the net eligible acreage by the New Jersey Department of Environmental Protection – Green Acres Program.

**NOW THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Kingwood, in the County of Hunterdon, and State of New Jersey, as follows:

Section 1. The Township is hereby authorized to enter into a contract with the landowner to purchase the property at the certified appraised value, not to exceed \$9,325 per acre for approximately 59.774 acres of land, or not to exceed \$562,600.

Section 2. The Township shall contract directly with the landowner to take title to this property using funding from the Scenic Byway grant and the County of Hunterdon.

Section 3. The payment of any “soft costs” (appraisal, preliminary assessment, survey, title, etc.) for this acquisition not paid by the New Jersey Department of Environmental Protection - Green Acres program grant shall be appropriated from the Township Open Space Trust Fund.

Section 4. The Township may assign its rights under the contract and/or its ownership interest in the property to the State of New Jersey upon request from the State.

Section 5. The Mayor is authorized, to execute any documents required to complete the acquisition of the Property.

Section 6. **Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 7. **Repealer.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 8. **Effective Date.** This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

**PLEASE TAKE NOTICE** that the following Ordinance was adopted on first reading by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey at a meeting held on the 6th day of August, 2020. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on the 3<sup>rd</sup> day of September, 2020 at a meeting beginning at 7:00 P.M. at the Municipal Building located on the corner of County Road 519 and Oak Grove Road, Kingwood Township, New Jersey, at which time all interested persons will be heard.

**TOWNSHIP COMMITTEE OF  
TOWNSHIP OF KINGWOOD**

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Thomas Ciacciarelli, Mayor

Attest:                      September 3, 2020

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Cynthia L. Keller  
Township Clerk, RMC

**Introduction:**                      **August 6, 2020**

**Publication:**                      **August 13, 2020**

**Final Adoption:**                      **September 3, 2020**

**Publication By Title Only:**                      **September 10, 2020**

ROLL CALL	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
R Dodds						
M Syrnick						
T Ciacciarelli						

**I, Cynthia L. Keller, Clerk of the Township of Kingwood, County of Hunterdon and State of New Jersey do hereby certify the foregoing to be a true copy of Ordinance No. 20-12-2020 adopted by the Kingwood Township Committee on September 3, 2020.**

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Cynthia L. Keller, RMC  
Township Clerk