

## **BOROUGH OF OCEANPORT**

### **ORDINANCE NO:1111**

#### **ORDINANCE AUTHORIZING THE BOROUGH TO PURCHASE BLOCK 66, LOT 7.01 AND BLOCK 66, LOT 9.01 FOR OPEN SPACE PRESERVATION PURPOSES**

**WHEREAS**, the Borough of Oceanport (the "Borough") established an Open Space Dedicated Trust Fund (the "Trust Fund") through the adoption of Ordinance 740-2001 which authorizes the Borough to utilize the Trust Fund for the costs incurred in connection with the acquisition of land for open space purposes and for the acquisition of land for passive or active recreational purposes; and

**WHEREAS**, the Borough Planning Board adopted an Open Space and Recreation Plan (the "Open Space Plan") in September 2012 which established its Plan Goals and Objectives, in part, as long-term open space preservation and the acquisition of a projected natural area preserve of wetlands and woodlands; and

**WHEREAS**, pursuant to numerous statutory schemes, including but not limited to N.J.S.A. 40:61-1 and N.J.S.A. 40A:12-3 et seq., the Borough is authorized to acquire real property for open space purposes; and

**WHEREAS**, the Borough believes it is in the best interest of the Borough to acquire vacant land parcels for open space purposes on properties designated as Block 66, Lot 7.01 located on Shrewsbury Avenue for its market value of \$35,000 owned by 540 Shrewsbury Partners, LLC, 529 East State Street, Long Branch, New Jersey and Block 66, Lot 9.01 owned by Eastern Realty Holdings, LLC, 548 Shrewsbury Avenue, Oceanport for its market value of \$60,000 located on the east side of Onondaga Avenue, west of Shrewsbury Avenue (collectively referred to as the "Open Space Properties");

**WHEREAS**, the Borough adopted Resolutions #2024-224 and 281 authorizing the Borough to enter into contracts to purchase the Open Space Properties from their respective property owners subject to confirming market value, funding from Monmouth County Municipal Land Preservation Incentive Program for 75% of the acquisition cost for each Open Space property, and the subsequent adoption of an ordinance as required by the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et. seq.

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough to acquire the Open Space Properties to further the goal of the Open Space Plan to create a natural area for the benefit of its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Oceanport, County of Monmouth State of New Jersey that it hereby authorizes the purchase of Block 66, Lot 7.01 for \$35,000 and Block 66, Lot 9.01 for \$60,000.

**BE IT FURTHER ORDAINED** as follows:

1. The findings set forth in the foregoing preamble are hereby incorporated as if fully restated.
2. The Mayor is hereby authorized to execute all transactional documents necessary to acquire the Open Space Properties consistent with the foregoing, the form and substance of which shall be subject to the review and approval of Borough Attorney.
3. The Mayor is hereby authorized to execute all documents required by the Monmouth County Municipal Land Preservation Incentive Program in order to obtain Monmouth County's share of the purchase prices for the Open Space Properties.
4. The Mayor, Borough Clerk, Borough Attorney, Borough Administrator, and Chief Financial Officer are hereby authorized and directed to execute, file, and accept any and all such documents and undertake

any and all such actions as may be reasonably necessary to effectuate the terms hereof, including the completion of closing and accepting title to the same.

5. The Chief Financial Officer is hereby authorized to complete a bill payment for the purchase of the Open Space Properties upon her ability to certify as to the sufficiency of funds.
6. All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

**APPROVED ON FIRST READING**

**DATED: June 5, 2025**



**STEPHANIE KRAMER**

**Deputy Clerk of the Borough of Oceanport**

**ADOPTED ON SECOND READING:**

**DATED: June 19, 2025**



**STEPHANIE KRAMER**

**Deputy Clerk of the Borough of Oceanport**

**APPROVAL BY THE MAYOR ON THIS 19<sup>th</sup> DAY OF June**



**THOMAS J. TVRDIK**

**Mayor**