AN ORDINANCE AUTHORIZING THE CONVEYANCE, SALE, EXCHANGE, TRANSFER OR OTHER DISPOSITION OF PUBLIC PROPERTY KNOWN AS BLOCK 4, LOT 18 ON THE OFFICIAL TAX MAP OF READINGTON TOWNSHIP FOR AFFORDABLE HOUSING PURPOSES PURSUANT TO N.J.S.A. 40:12-15.9 AND SECTION 39-1,ET SEQ. OF THE CODE OF THE TOWNSHIP OF READINGTON AND PROVIDING FOR REPLACEMENT PROPERTY

Ordinance # 25-2026

WHEREAS, the Township of Readington ("Township") owns vacant open space property known as Block 4, Lot 18, on the official Tax Map of the Township of Readington, consisting of a total of 5.56 +/- acres, commonly known as 504 Route 22 , Lebanon, N.J. (hereinafter "Property"); and

WHEREAS, the Property was purchased pursuant to Ordinance #29-2021 which authorized funds in the amount of up to $90,000.00 from the Township's Municipal Open Space Trust Fund for the purchase of the Property for the purposes set forth in Ord. Section 39-1 et seq. of the Code of the Township of Readington (herein after "Township Code") and N.J.S.A. 40:12-15.9 (hereinafter "State Statute"); and

WHEREAS, both Section 39-4 of the Township Code and the State Statute permit the governing body to convey, through sale, exchange, transfer, or other disposition, property acquired with funds from a municipality's Open Space Trust Fund, if, after conducting at least one public hearing, the governing body: 1) finds that the open space, conservation and recreation purposes of the purchase might otherwise be better served, or, that the land acquired by the municipality is required for another public purpose; 2) replaces any land conveyed with land of at least equal fair market value and or reasonably equivalent usefulness, size, quality and location to the land conveyed; and 3) deposits any monies derived from the land conveyed back into the municipality's Open Space Trust Fund for the purposes set forth in the Township Code and State Statute; and

WHEREAS, the Township Code and State Statute also require that any future sale, lease, exchange, transfer or other conveyance of the aforesaid Property shall be conducted in accordance with the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq); and

WHEREAS, approximately six months after the purchase of the Property on December 2, 2021, a previous governing body of the Township Committee concluded that the Property would be better served for use as a 100% affordable housing project, and to that end, enacted Ordinance #18-2022 on June 20, 2022 appropriating $90,000.00 in capital funds to reimburse the Municipal Open Space Trust Fund, which monies were thereafter deposited into said fund in October of 2022; and

WHEREAS, no County or State funds were used to the purchase the Property, the deed to the Property does not restrict it for park purposes, and the Property was never listed on the Township's Recreational Open Space Inventory, nor does it appear on the New Jersey State Department of Environmental Protection's G.I.S. mapping as either encumbered or non-encumbered open space; and

WHEREAS, after investigation, the Township believes the Property is required, and better suited for, another public use, specifically, for a 100% affordable housing project because:

1. The Property is capable of yielding up to 70 affordable residential housing units, in furtherance of the Township's proposed affordable housing fair share plan;

2. The Property has direct access to State Hwy. Route 22, and has relative proximity to Whitehouse Station where goods and services are available for residents;

3. A new LINK bus stop has been approved for the Property, which will provide transportation for residents to Whitehouse Station and other areas in the County; and

4. The Property has close proximity to existing sewer service lines, and the Township anticipates making sewage treatment capacity available to serve a 70 unit affordable housing project on the site in the near future; and

WHEREAS, the Township intends to replace the Property purchased with the aforesaid Open Space Trust funds with property known as Block 1, Lot 1 and Block 3, Lot 1, located on 2 Rockaway Road and Taylors Mill Roads, respectively, in the Township ("Replacement Property"). The Replacement Property consists of a total of 64.26+/- acres of vacant lands, which far exceeds the acreage of the Property, and the Township has contracted to purchase same for $752,875.00, utilizing a combination of available funding/grants. Thus, the Township finds that the Replacement Property meets the purposes of both the Township Ordinance and State Statute in terms of value, usefulness, size, quality and location. Accordingly, the Township shall utilize the $90,000.00 previously deposited into the Municipal Open Space Trust Fund as authorized by Ordinance #18-2022 toward its purchase of the Replacement Property.

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

Section 1. The aforementioned preambles are incorporated herewith as if fully set forth herein.

Section 2. The Township of Readington hereby authorizes the conveyance, by sale, exchange, transfer or other disposition, of the Property known as Block 4, Lot 18 on the official Tax Map of the Township of Readington that was previously acquired with funds from the Township's Open Space Trust Fund, for the following reasons:

a. In this case, as expressed in the preamble above, due to its particular characteristics and qualities, the Property acquired by the municipality is better suited for and required for another public purpose, specifically, a 100% affordable housing project; and

b. As set forth in the preamble above, the proposed Replacement Property meets the purposes meets the purposes of both the Township Ordinance and State Statute in terms of value, usefulness, size, quality and location.

Section 3. The $90,000.00 previously used for the purchase of the Property and deposited back into the Municipal Open Space Trust Fund in 2022 is hereby authorized to be, and shall be, appropriated toward the purchase of the Replacement Lands, previously identified as Block 1, Lot 1 and Block 3, Lot 1 on the official tax map of the Township of Readington.

Section 4. Any future sale, lease, exchange, transfer or other conveyance of the aforesaid Property shall be conducted in with the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq).

Section 5. On behalf of the Township Committee of the Township of Readington, the Mayor, Deputy Mayor, Township Administrator, Township Chief Financial Officer, Clerk and Township Attorney, or Special Counsel, as appropriate, are authorized to prepare and sign any and all documentation necessary to effectuate this ordinance.

Section 6. Severability.

If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 7. Effective Date.

This ordinance shall take effect immediately upon final adoption and publication according to law. A copy of this Ordinance may be recorded in the Hunterdon County Clerk's Office.

A TRUE COPY OF WHICH ORDINANCE IS PRINTED ABOVE WAS INTRODUCED AT THE MEETING OF THE TOWNSHIP COMMITTEE ON OCTOBER 5, 2026 AND THAT IT IS THE INTENTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON TO CONSIDER PASSAGE OF SAID ORDINANCE AT THE REGULAR MEETING OF THE TOWNSHIP COMMITTEE TO BE HELD AT THE MUNICIPAL BUILDING, 509 ROUTE 523, WHITEHOUSE STATION, NEW JERSEY, ON OCTOBER 19, 2026 AT 6:30 P.M. AT WHICH TIME AND PLACE, OR AT ANY TIME OR PLACE TO WHICH THE MEETING SHALL BE FROM TIME TO TIME ADJOURNED AN OPPORTUNITY WILL BE GIVEN TO ALL PERSONS WHO MAY BE INTERESTED THEREIN TO BE HEARD CONCERNING SAID ORDINANCE.

ANN MARIE LEHBERGER, RMC
MUNICIPAL CLERK