

## **ORDINANCE 2023-13**

### **AN ORDINANCE AUTHORIZING THE LICENSE OF BLOCK 56, LOT 1 OWNED BY UNITED STATES OF AMERICA DEPARTMENT OF THE NAVY TO COLTS NECK TOWNSHIP FOR THE TOWNSHIP RECYCLING YARD AND FOR PARKING OF COLTS NECK TOWNSHIP SCHOOL BUSES.**

WHEREAS, the real property located at Block 56, Lot 1 (the "Property"), a portion of Naval Weapon Station Earle, located in Colts Neck, New Jersey 07722, is to be used by Colts Neck Township (the "Township") under the terms of a temporary License Agreement (the "License") from the United States of America Department of the Navy ("Navy"); and

WHEREAS, the Township Committee of Colts Neck Township (the "Committee") hereby determines that it is necessary and in the public interest to enter into a license with the Navy for the continued use of the Property as the Township's Recycling yard, and for the parking of Colts Neck Township School buses; and

WHEREAS, the Navy has determined that the Property may be licensed by the Township pursuant to N.J.S.A. 40A:12-5 and that the Township's proposed use of the Property will not compromise the Navy's use and ownership of the Property; and

WHEREAS, the Navy wishes to enter into a License with the Township for the Township's continued use as the Township Recycling yard, and for the parking of Colts Neck Township School buses on the Property for a period not to exceed five (5) years from the dated date of the License (the "License Term"); and

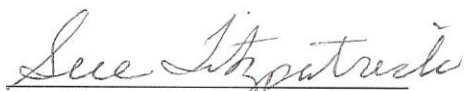
WHEREAS, there is no fee in connection with the continued use of the Property under this License for the License Term; and

WHEREAS, it is the intent of the Township and the Navy to negotiate and enter into an agreement for the Township to purchase the Property during the License Term;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township, County of Monmouth, in the State of New Jersey that:

1. The Township Committee hereby authorizes any and all necessary and appropriate actions by municipal officials including the Mayor, Township Administrator, Municipal Clerk and Municipal Attorney to negotiate and execute the License on behalf of the Township with the Navy for the Township's continued use of the Property as the Township Recycling yard, and for the parking of Colts Neck Township School buses on the Property, so long as that License is approved as to form by the Township Administrator and Township Attorney.
2. No amount shall be paid to the Navy in exchange for the License.
3. The License Term shall be no longer than 5 years from the dated date of the executed License.
4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.
4. This Ordinance shall take effect upon final passage and publication in accordance with the law.

I, Trina Lindsey, hereby certify the Ordinance foregoing to be a true copy of an Ordinance introduced by the Township Committee of Colts Neck Township on the 31<sup>st</sup> day of May 2023. A public hearing will be held on June 14, 2023, 7:00 p.m. Town Hall, 1 Veterans Way.

  
Sue Fitzpatrick, Mayor

  
Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	May 31, 2023					June 14, 2023				
	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Fitzpatrick		X					X			
Deputy Mayor Rizzuto		X								X
Torchia Buss		X					X			
Viola	S	X				M	X			
Bartolomeo	M	X				S	X			
M - Moved	S - Seconded	X - indicates vote			NV - Not Voting		Ab - Absent			