

**AUTHORIZING A COOPERATIVE PROJECT AGREEMENT WITH THE
COUNTY OF MONMOUTH UNDER ITS MUNICIPAL LAND
PRESERVATION INCENTIVE PROGRAM FOR THE ACQUISITION OF
REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 41, LOT 29
(FIVE POINTS ROAD) ON THE OFFICIAL TAX MAP OF COLTS NECK
TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, Colts Neck Township adopted Ordinance 2022-2 for the acquisition of BLOCK 41, LOT 29 (FIVE POINTS ROAD), included in the Township's Open Space and Recreation Plan and recommended for preservation by the Township's Farmland and Open Space Committee, for a purchase price of \$2,350,000.00; and

WHEREAS, the Township has sought out additional funding sources in addition to its dedicated Open Space Trust Fund to offset the acquisition cost, including New Jersey Green Acres under its Planning and Incentive Grant ("PIG") Program; and

WHEREAS, upon the Township's satisfaction of PIG Program conditions, Green Acres has agreed to fund the acquisition at 50% of its calculated certified market valuation; and

WHEREAS, the County of Monmouth County recently initiated a program ("MUNICIPAL LAND PRESERVATION INCENTIVE PROGRAM" or "PROGRAM") to expand park, historic preservation, and open space opportunities for Monmouth County residents by providing funding to assist municipalities with park and open space acquisition; and

WHEREAS, under the PROGRAM, the County of Monmouth will fund up to 75% of the acquisition cost not covered by Green Acres; and

WHEREAS, the County of Monmouth PROGRAM requires the entering into a Cooperative Project Agreement memorializing the terms and conditions of the County's participation in a municipal acquisition project; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service of circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, Colts Neck Township ("Colts Neck") and the County of Monmouth ("the County") are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey law to enter into a Cooperative Project Agreement pursuant to the Act; and

WHEREAS, the County of Monmouth, through its dedicated Open Space Trust Fund has the ability and desires to incentivize the funding of municipal land acquisition for the purposes of open space preservation; and

WHEREAS, the County of Monmouth and Colts Neck Township have negotiated a Cooperative Project Agreement, in a form substantially similar to that which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

WHEREAS, the Monmouth County Board of County Commissioners, the Monmouth County Board of Recreation Commissioners, Mayor Sue Fitzpatrick, and the Township Committee of Colts Neck Township have an interest in preserving open space in Colts Neck and throughout Monmouth County, with the goal of improving the quality of life for all residents, and are in full support of this agreement to facilitate the acquisition of BLOCK 41, LOT 29 (FIVE POINTS ROAD) in Colts Neck Township.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Township Council as follows:

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Cooperative Project Agreement shall be open to public inspection in the Clerk's office and shall take into effect upon adoption of a resolution and execution of the agreement by both the Monmouth County Board of County Commissioners and the Township Committee of Colts Neck Township.
3. The Mayor and Clerk are hereby authorized to execute a Cooperative Project Agreement in a form substantially similar to that which is annexed hereto as EXHIBIT A.

4. Kathleen Capristo, Township Administrator, is authorized to provide additional information and furnish such documents as may be required to facilitate the acquisition and act as the principal contact person and correspondent for Colts Neck Township.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. The County of Monmouth
- b. Colts Neck Business Administrator
- c. Colts Neck Chief Financial Officer

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during the Reorganization meeting held on the 19th day of July 2023


Trina Lindsey, Municipal Clerk

| RECORD OF VOTE | | | | | |
|---|-----|-----|----|----|----|
| | M S | Yes | No | NV | Ab |
| Mayor Fitzpatrick | | X | | | |
| Deputy Mayor Rizzuto | | | | | X |
| Torchia Buss | | X | | | |
| Viola | S | X | | | |
| Bartolomeo | M | X | | | |
| M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent | | | | | |