

TOWNSHIP OF PEMBERTON
ORDINANCE NO. 5-2015

**AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
ACCEPTING THE TRANSFER OF PROPERTY LOCATED
AT 135 ARNEY'S MOUNT ROAD, BLOCK 785, LOT 10.02
FROM PEMBERTON FIRST AID AND RESCUE SQUAD**

WHEREAS, Pemberton First Aid and Rescue Squad ("Pemberton First Aid") provided volunteer emergency medical services to the Township of Pemberton (the "Township") since at least 1980; and

WHEREAS, on December 31, 2012, the contract between the Township and Pemberton First Aid expired, and on January 17, 2013, the Township Business Administrator notified Pemberton First Aid that the Township would no longer require the services of Pemberton First Aid and that the Township would not be renewing its contract with Pemberton First Aid; and

WHEREAS, the Township subsequently initiated litigation in the Superior Court of New Jersey, Burlington County, Chancery Division entitled The Township of Pemberton v. Browns Mills Emergency Squad, Inc., et als., Docket No. BUR-C-105-13 (the "Litigation") seeking the entry of judgment against the defendants therein, including Pemberton First Aid, requiring them to turn over all of their assets, including real and personal property, equipment, and liquid assets, to the Township; and

WHEREAS, Pemberton First Aid is the record owner of real property located at 135 Arney's Mountain Road, Pemberton Township, New Jersey and identified on the Township's tax map as Block 785, Lot 10.02 (the "Property"); and

WHEREAS, in settlement of the Litigation, Pemberton First Aid has agreed to convey the Property to the Township so that the Township may use the Property for the public purposes set forth within the Contract of Sale attached hereto as Exhibit A; and

WHEREAS, the New Jersey Local Lands and Building Law, N.J.S.A. 40A:12-1 et seq., authorizes a municipality to obtain any real or personal property for the good of the public.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Pemberton, in the County of Burlington and State of New Jersey that The Township Council hereby authorizes the Township to enter into a Contract of Sale, in the form attached hereto, with Pemberton First Aid and Rescue Squad, whereby the Township will acquire, for public purposes, the property owned by Pemberton First Aid located at 135 Arney's Mount Road, Pemberton Township, New Jersey and identified on the Township's tax map as Block 785, Lot 10.02; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

PEMBERTON TOWNSHIP COUNCIL

TOWNSHIP OF PEMBERTON
NOTICE OF PUBLIC HEARING
ORDINANCE NO. 5-2015

**AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
ACCEPTING THE TRANSFER OF PROPERTY LOCATED
AT 135 ARNEY'S MOUNTAIN ROAD, BLOCK 785, LOT
10.02 FROM PEMBERTON FIRST AID AND RESCUE
SQUAD**

The foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on February 18, 2015 and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on March 4, 2015 at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey, at 6:30 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST: 
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

TOWNSHIP OF PEMBERTON
NOTICE OF FINAL PASSAGE
ORDINANCE NO. 5-2015

**AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
ACCEPTING THE TRANSFER OF PROPERTY LOCATED
AT 135 ARNEY'S MOUNTAIN ROAD, BLOCK 785, LOT
10.02 FROM PEMBERTON FIRST AID AND RESCUE
SQUAD**

Notice is hereby given that Ordinance No. 5-2015 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on March 4, 2015. Said Ordinance shall take effect in accordance with law.

ATTEST: 
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR 
David A. Patriarca

DATE 3/6 2015

ATTEST: 
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK