



**2019
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CHAE	✓			
ENGLESE	✓			
LaBRUNO	✓			
MANNA	✓			
ROSSILLO	✓			
STEWART	✓			
MAYOR KELLY				
TOTALS	6			

Ordinance No. 1559
 Date: February 5, 2019
 Page: 1 of 3
 Subject: 23 W. Quackenbush Avenue
 Purpose: Purchase
 Dollar Amount: \$462,000

Offered by: Stewart
 Seconded by: Manna

Prepared By: Dave Lafferty, Esq.

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly
Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

An Ordinance of the Borough of Dumont, County of Bergen, State of New Jersey
AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY BY THE
BOROUGH OF DUMONT AT 23 W. QUACKENBUSH AVENUE,
DUMONT, NEW JERSEY 07628

WHEREAS, the Borough of Dumont intends to construct a new municipal headquarters building in the Borough of Dumont; and

WHEREAS, the Mayor and Council of the Borough of Dumont concludes that it would serve a public purpose and the public good if the Borough of Dumont acquires real property

designated as Block 1215, Lot7 on the tax map of the Borough of Dumont and commonly known as 23 West Quackenbush Avenue, Dumont, New Jersey (the subject property);

WHEREAS, the subject property is presently owned by Richi and Valeria Bieltz (“Bieltz”);

WHEREAS, on or about May 22, 2018, the Borough of Dumont commenced negotiations for the purchase of the subject property by way of written offer to the owners;

WHEREAS, ongoing settlement discussions between the Borough of Dumont and the owner of the subject property have resulted in an agreement for the purchase of the subject property without resort to formal eminent domain proceedings; and

WHEREAS, the Borough desires to acquire the subject property in fee simple ownership;

THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Dumont in the County of Bergen and State of New Jersey that it hereby authorized to acquire, Block 1215, Lot 7, also known as 23 West Quackenbush Avenue, Dumont, New Jersey, for an amount not to exceed \$462,000.00 payment to Bieltz, subject to such other usual and customary closing adjustments and satisfactions of mortgages, judgment and liens; and

BE IT FURTHER ORDAINED, that the Borough of Dumont, if necessary, is authorized to enter into a use and occupancy agreement with Richi and Valeria Bieltz for their continued occupancy at the premises, post-closing, for up to May 31, 2019, pursuant to said agreement Bieltz shall maintain property and liability insurance on the subject property in limits satisfactory to the Borough of Dumont and the Borough of Dumont shall be named as an additional insured; and further, during said period of post-closing use and occupancy, Bieltz shall be responsible for all utilities incurred and shall be responsible for all maintenance and repairs of the property; and

BE IT FURTHER ORDAINED, that the Municipal Clerk, Borough Administrator, Borough Attorney, and such other municipal officials as are appropriate are hereby authorized to execute such documents and undertake such action as is necessary to carry out the purpose of this ordinance.

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Severability. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC
Municipal Clerk

Introduced: February 5, 2019

Adopted:

